

Poverty Eradication through Global Partnerships and the Question of the Right to Development under International Law

Carol Chi Ngang

Doctoral Researcher, Centre for Human Rights, Faculty of Law, University of Pretoria, South Africa

Serges Djoyou Kamga*

Associate Professor, Thabo Mbeki African Leadership Institute, University of South Africa (Unisa), South Africa

Abstract

In this article we examine the commitment to eradicate extreme poverty through global partnerships within the framework of the Sustainable Development Goals (SDG) and the controversial question of the right to development (RTD) under international law. Through an in-depth profiling of the concept of poverty, we establish that extreme poverty, which results from global injustices, is largely localised in developing countries and therefore begs the question whether its eradication could realistically be achieved through global partnerships. In making this determination, we interrogate why, despite its potential for poverty eradication as illustrated with the Chinese experience, developed countries remain reticent in recognising the RTD as a model for creating an international economic order that guarantees global equity for development. We conclude with the argument that if poverty eradication is to be achieved, it necessitates recognising the RTD, which imposes an obligation on stakeholders that perpetuate global inequalities to make reasonable efforts to eliminate the unfair practices that generate and sustain extreme levels of poverty in developing countries.

Introduction

In this article we question the prospect to achieve Goal 1 of the Sustainable Development Goals (SDGs), which aims at the eradication of extreme poverty by the year 2030 through global partnerships for development. With the reticence from developed countries in recognising the right to development (RTD) as a paradigm for redressing issues relating to poverty and underdevelopment, the arguments we advance in this article are intended to dispute the rationale for promoting

global partnerships, which we contend are counterproductive to developing countries' aspirations for development. Interestingly, the now obsolete Millennium Development Goals (MDGs) set an even more realistic target to reduce poverty by half within a time frame of 15 years, but as Kamga rightly points out, the MDG targets were largely not achieved, especially in developing countries.¹ While most of the MDGs ended up unfulfilled, the expanded SDGs set far greater ambitious targets, creating the expectation that what could not be achieved by the 2015 MDGs cut-off-date, would dramatically be accomplished by 2030.

This poses a fundamental question as to why the MDGs failed to achieve their targets in developing countries. Historically, the world has evolved quite disproportionately into a Balkanised configuration, composed of a highly developed and industrialised concentration of countries, on the one hand, and developing countries, on the other. The developed countries are referred to as the Global North, while the developing group of countries, for no apparent reason, is called the Global South. The disparity in levels of development in relation to the responsibilities that states are imputed with under international law has given birth to the principle of differentiation, which by implication necessitates a variance in applicable development models in dealing with the issues at stake.² However, developed countries have consistently advanced an imperialistic agenda that unfairly lumps the world together as a global project. Accordingly, successive global actions, including the prevailing SDGs, have been designed to deal with the amplifying levels of poverty, among other issues, that are believed to constitute global problems.

Among the 17 time-bound SDGs, we highlight Goal 1, which has as sub-target to, '[b]y 2030, eradicate extreme poverty for all peoples everywhere, currently measured as people living on less than US\$1.25 a day'.³ The eradication of extreme poverty, when interpreted literally, implies that by the close of 2030, extreme levels of poverty would have been wiped out. While we do not doubt that the eradication of extreme poverty is achievable, we remain apprehensive of the modality by which its realisation is envisaged. The concern draws from the fact that poverty is not only relative, it is also multi-dimensional, which means that the perspective from which it is perceived ought to determine the strategies for its eradication.⁴

It is stated in the Declaration on the 2030 Agenda for Sustainable Development that the formulation of the SDGs is informed by the Declaration on the Right to Development, among other instruments, relating to human rights and international development.⁵ Our reasoned interpretation of this affirmation is that if sustainable development is to be achieved, a human rights-based approach, and more precisely, the RTD ought to be prioritised. It is even more important to do so, considering that the central focus of the SDGs has to do with issues that seriously affect developing countries unfavourably. The fundamental challenge, however, stems from the opposed stance among developed countries, marked by the uneasiness that a legal recognition of the RTD may impose positive duties, compelling them to fulfil this right in developing countries.⁶

Contrary to the more liberal character by which the RTD is understood, and in accordance with the account that it derives from, which is of the same conceptual nature as the right to self-determination,⁷ it is important to further clarify that the RTD was conceived by developing countries as a revolutionary paradigm to combat imperial domination. Statistically, as indicated below, the bulk of global poverty is identified to be mainly situated in developing countries, even though governments of the world have jointly committed themselves to ensure its eradication. While it

is straightforward to admit that the SDGs as a whole are achievable, the exceptionally ambitious commitment to eradicate extreme poverty raises important concerns about the modality for its realisation. This enquiry looks at the mechanism of global partnerships by which extreme poverty is envisaged to decline, and, in relation, poses the question why priority is rather not granted to developing countries to exercise the RTD as a model for poverty eradication?

The article is structured into four sections, including this introductory section and a conclusion, to provide a comprehensive response to the above question. In the section that follows, we do an in-depth analysis of the principal determinants of poverty, which begs for answers as to whether extreme poverty is a global problem necessitating a universal paradigm for its eradication. We go further in section three to look at global partnerships – identified more as a globalisation project – in comparison with the RTD as an alternative model for developing countries, which has mostly been ignored in the global development discourse. Contrary to the reading of poverty as a global problem, which we contend is largely only concentrated in developing countries, we argue that its eradication cannot possibly be achieved through global partnerships, but rather through a model by which to eradicate extreme poverty in developing countries. In conclusion, we state the claim that the eradication of extreme poverty can only be accomplished through recognition of the RTD for developing countries in formulating their own development policies and in setting their own development priorities without constraints or undue external influences.

Extreme Poverty and its Principal Determinants

Profiling extreme poverty

At the core of the global agenda for development, the world identifies extreme poverty as a daunting challenge that must be eradicated by the year 2030 if other aspects relating to sustainable development are to be achieved. Unconvinced about the straightforward manner in which the realisation of this ambitious project is envisaged, we find reason to do a more in-depth scrutiny of the dimensions of extreme poverty for three purposes. The first purpose is to define and situate extreme poverty within the context as a phenomenon that is predominantly only common in developing countries. By so doing, we dispute the barometer by which extreme poverty is measured as being inherently inaccurate. Secondly, the purpose is to contest the manner in which extreme poverty is portrayed as a global problem according to conventional standards for measuring poverty, and thirdly, to draw attention to the primary determinants that create and sustain extreme levels of poverty in developing countries.

To begin with, the Committee on Economic, Social and Cultural Rights defines poverty in very general terms as ‘a human condition characterised by sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living’.⁸ The World Bank’s measurement of poverty, which has been adopted as the conventional standard, establishes that a person would be considered poor if such a person is unable to make a nominal sustainable livelihood income of US\$1,25 a day. Accordingly, extreme poverty is explained to mean living below the daily income baseline, in relation to which the lives of ‘the millions who have been denied the chance to lead decent, dignified and rewarding lives

and to achieve their full human potential' is defined.⁹ Apart from the income benchmark by which poverty is measured, extreme poverty is known to manifest as a severe deprivation of the most essential necessities for human survival. These essential necessities include food, shelter, portable water, education, basic health care, proper sanitation, without subjection to slavery-like conditions of work. Hundreds of thousands, especially vulnerable groups like women and children, die of poverty-related causes on a daily basis as a result of lack of these essential necessities.¹⁰

Conversely, it is acknowledged that the income barometer alone does not constitute a true measurement of poverty, not to mention extreme poverty. The latter is characterised by a combination of life-threatening factors, including the inability to sustain a dignified livelihood, the reality of discrimination and stigmatisation, as well as structural barriers to access to and participation in mainstream society.¹¹ Global statistics point to the fact that about 42 per cent (close to half) of the world's total population of over 6,5 billion people live in extreme conditions of poverty, which in absolute numbers translate into an estimated 2,7 billion people.¹² To say that extreme poverty will be eradicated by 2030 means the lifestyle of want and misery, to which the 2,7 billion extremely poor people are subjected to, would dramatically be transformed by 2030. It also literally suggests that by 2030 extreme poverty will be extinct, meaning completely eradicated.

Calculated in terms of the US\$1,25 per day income baseline by which poverty is commonly measured, Pogge suggests that eradicating extreme poverty would entail raising the income levels of the poor, which he says stands at two to three per cent, to an average of four per cent.¹³ Based on calculations of this nature, the SDG blueprint enjoins developed and developing countries to engage in greater cooperation within the framework of global partnerships. This arrangement obtains from the perception by which poverty is ascribed a universal character, requiring the shared responsibility of the international community to ensure its eradication by forging some form of income or resource redistribution through the shipment of development assistance from the industrialised to the developing countries.¹⁴ While these concerted actions may appear strategic, we find the categorisation of poverty as a global problem, and, in relation, the envisaged strategy for its eradication through global partnerships, particularly problematic. We frame our disagreement in this regard with the argumentation that such generalisation tends to dilute the magnitude of extreme poverty, which in our perception ought to be approached from a more pragmatic angle rather than based on the false expectation that the problem is being redressed through global partnerships.

Pogge draws attention to the fact that global partnerships lack clarity on the allocation of responsibilities, especially with regard to concrete commitments by developed countries in ensuring the eradication of extreme poverty in developing countries.¹⁵ It is worth highlighting in substantiation of Pogge's scepticism that the undertaking by developed countries to provide 0,7 per cent of their GDP as development assistance to developing countries has never been fulfilled.¹⁶ In addition, despite the volume of development aid that has over the decades been pumped into developing countries through various forms of development cooperation, extreme poverty has, oddly enough, remained on the increase or has only experienced a downward turn at an exceptionally sluggish pace. The defiance of extreme poverty in the face of increased development assistance has accurately been summarised in the narrative on aid ineffectiveness and therefore challenges the rationale for continuous reliance on such a model, which is acknowledged to be mostly unproductive.

It is important to note that the MDGs were designed along the model of global partnerships to reduce poverty by half, but unfortunately failed to achieve that purpose. We argue that reinventing the model of global partnerships constitutes a serious setback to the poverty eradication project in the sense that developed and developing countries experience poverty quite differently. In reality, the geographic pattern of poverty distribution situates the extremely poor mainly in developing countries, with an estimated 48 per cent living in Sub-Saharan Africa and 36 per cent in South East Asia, while 16 per cent are scattered in parts of Latin America and the Caribbean, the Middle-East and North Africa.¹⁷ On the contrary, poverty in developed countries is often only described in relative terms and does not impact on the quality of life within those communities as compared to the extreme levels of poverty in developing countries that pose a real threat to livelihood. These significant differences necessitate a proper reading of extreme poverty within the context where it manifests.

Relatively, poverty, according to Brand et al., is perceived from three different angles, namely: the 'empirical', the 'functionalist' and the 'dialectical'.¹⁸ The empirical dimension of poverty portrays poor people as the architects of their own misery and therefore in need of external support. In this regard, the solution is seen to lie in the form of development assistance, requiring the systematic transfer of development aid from wealthy countries to the 'needy' in developing countries. From a functionalist point of view, poverty is explained to mean economic or social regression, which, following a modernist approach, may only be redressed through economic growth strategies that envisage wealth to trickle down to the poor.¹⁹ These perceptions, which are mostly drawn from the imperialist analysis, attribute poverty to social constructs that see the behavioural and socio-cultural patterns of the poor as a dysfunctional factor to the capacity to survive within the globalised market economy in relation to which poverty is measured.²⁰

It stands to reason, as highlighted earlier, that strategies for the eradication of poverty can only appropriately be formulated to the extent that extreme poverty is given a contextual reading. As opposed to the generic and sometimes misinformed perceptions of poverty as the product of a cultural or behavioural deficiency, poverty in developing countries is portrayed from a dialectical point of view. It is viewed as an incarnation of injustice, both in the manner in which it is generated and the extent of the burden it inflicts on the extremely poor.²¹ To describe poverty as an injustice, as Brand et al. do, means that it is engineered more by structural than behavioural factors, which make the communities of the poor in developing countries victims rather than architects of their own plight.

South Africa for instance, has one of the highest poverty configurations in the world, not because the people opted for a lifestyle of want and misery but because 300 years of imposed colonial and apartheid policies have constrained a significant proportion of the population to remain in abject poverty.²² Aliber rightly describes poverty in South Africa as a 'straightforward outcome of colonial and apartheid engineering', characterised by 'large-scale land dispossession'.²³ Unlike in developed countries where poverty is understood only relatively in terms of income disparity as explained earlier, poverty in developing countries has evolved into a cyclical multi-dimensional phenomenon. The latter includes a lack of income or resources, with deprivation of capabilities, exclusion from mainstream society and alienation of the poor from the opportunities that are essential to get them out of poverty.²⁴

Thus, because poverty is conceived rather too narrowly according to conventional standards, the defining characteristics of extreme poverty are overlooked. These include massive exploitation, land dispossession, cultural genocide and the unfair economic-growth-driven global policies that systematically exclude the poor. In essence, the dominant narrative tends to depict the poor as vulnerable victims lacking the potential to take moral action and, therefore, having to look up to the haves in developing countries for subsistence. This challenges the very purpose of the SDG framework within which poverty eradication is envisaged, which, by nature, is supposed to be a mechanism for expanding the productive capabilities of the poor rather than creating dependency. Looking at extreme poverty in context and, most importantly, from the perspective of aiming to achieve sustainable development, it is apparent that the specific components relating to extreme poverty identified above cannot be redressed through global partnerships.

Unfortunately, the nature of poverty in developing countries does not straightforwardly respond to the income poverty definition and, therefore, cannot be redressed through mathematical solutions that aim at beefing up the income of developing countries through increased development assistance. However, although development assistance is not recommended as a strategy for poverty eradication, some extremely impoverished countries have little choice other than to stick to global partnerships, which, as a short-term measure, may be relied on. However, as experience has shown, this is largely unsustainable.²⁵ The global inequality trend that actually shapes the world into developed and developing countries, as Khan makes clear, is such that a reversal in the prevalence of extreme poverty is unlikely to happen simply as a result of the transfer of development aid to impoverished countries through global partnerships.²⁶

This assertion is justified by the fact that in spite of the flow of development aid in the last couple of decades, Melo notes that the narrative in developing countries has rather meant programmed poverty, shaped by global politics and a structured world order that is designed to deprive developing countries of the capability to compete on a fair and equitable basis with the rest of the world.²⁷ Pogge²⁸ and Salomon²⁹ further explain that the unjust world order not only violates fundamental human rights but also hijacks opportunities for advancement through diverse forms of domination by which the poor are dispossessed of their proportional share in the allocation of resources. As a result, poverty in developing countries becomes evident in the large-scale deficits in human well-being. Deprivations of this nature hinder the development process and thus contravene the right to participate in a manner consistent with universally accepted human rights standards.³⁰

Contrary to the misconception of poverty as a global problem, we have endeavoured to illustrate that extreme poverty is in reality primarily located in developing countries. Owing to the fact too, as we have endeavoured to highlight, that poverty eradication cannot be achieved through dependence on the benevolence of rich countries, we make the proposition for looking at extreme poverty from an utterly different angle, which should enable us to make an informed argument in favour of a functional model for its eradication. In line with this proposition, without discounting the fact that behavioural patterns may contribute to the amplifying levels of poverty, we reiterate the reasoning that if the eradication of extreme poverty is to be actualised, it is important to meticulously examine the structural factors that generate and sustain its prevalence in developing countries.

Structural determinants of extreme poverty

By structural determinants, we refer to the internal and external factors that fuel poverty in developing countries. The internal factors include aspects such as corrupt and inefficient leadership, democratic deficits, general corruption and governance malpractices, which normally are within the capacity of every state to fix in order to redress the poverty situation at the domestic level. We shall not dwell on these internal factors for the reason that if external factors are not adequately dealt with, an accurate assessment cannot be made as to the extent to which poverty is sustained by the internal factors. The external factors thus include aspects that are beyond a state's ability to influence and therefore limit efforts at redressing the internal dimensions of poverty. The focus on the external factors is further explained by the fact that the poverty eradication project is conceptualised to incorporate an external dimension, requiring developed countries to assist developing countries in their poverty eradication efforts. It is crucial to highlight that poverty in developing countries, as illustrated in the previous section, is generally not caused by a lack of material or financial resources but is largely engineered by the development injustices created by the global system.³¹ Diez identifies these external poverty-generating mechanisms as including the financial systems that developed countries operate and the trade agreements that they broker.³²

These factors, among the many other dehumanising and imperialistic practices dating back to the times of slavery and colonialism, are recorded to have worked against prospects for advancement in developing countries. Slavery, on the one hand, enabled the massive extraction of the productive populations of the invaded countries, leading to a severe deterioration in human potential, which therefore also retarded progress in the area of socio-economic development.³³ On the other hand, colonialism created the opportunity for wanton and abusive exploitation and, thus, dispossessed the colonies of valuable natural resources, which were then used to develop the capitalist economies of Western societies.³⁴ Although one cannot accurately say to what extent the countries affected by slavery and colonialism would have advanced, Nunn provides a pointer to the effect that the countries from which the largest number of slaves were extracted have to this present day remained the least developed.³⁵

Thus, the injustices of slavery and colonialism not only caused the world to develop disproportionately in favour of the industrialised countries that committed the malpractices, the legacies of their actions undeniably also laid the foundation for the extreme levels of poverty that have haunted developing countries to this day. In fact, although colonialism, according to the perpetrators, was intended to bring civilisation to the supposedly underdeveloped parts of the world, the colonisers actually did not accomplish that mission but rather plundered the colonies and set them on a path of sustained poverty. Decolonisation and the acquisition of independence on the platform of self-determination would have significantly reversed the imbalances and, of course, reset the poverty levels in the decolonised states. Unfortunately, the contrary rather became the reality. In granting independence to the colonies, which in reality has remained nominal, the colonisers shrewdly institutionalised a neocolonial mechanism by which they retained control over the economies of those countries.

For instance, poverty levels leave French-speaking countries in Africa the least developed, not necessarily because they lack the resources to eradicate poverty. International law guarantees to states the right to formulate domestic policies and to exercise sovereignty over their natural wealth

and resources.³⁶ In spite of these guarantees, the colonial accords entered into between France and its African colonies before independence cede to France unencumbered control over the fiscal reserves and economic policies as well as the right to ownership over the natural resources of those French African 'colonies'.³⁷ The RTD standards guarantee first priority to the peoples of every country in setting their own development priorities. In contrast, the colonial pact compels the African 'colonies' to prioritise French interests over their own national interest, a policy which, as Koutonin points out, France enforces through coercion, including the use of military force.³⁸ Evidence of this is contained in the series of French-backed or orchestrated *coup d'états* that have taken place in almost all francophone African countries since independence.³⁹

Besides francophone Africa, developing countries as a whole have as part of the globalisation project increasingly been pulled into the competition for economic growth and global capitalism. In spite of the historical injustices to which developing countries have been subjected, they are constrained through the clearly biased globalisation policies and international trade rules to compete unfavourably and are thus systematically disadvantaged in their relations with industrialised countries. Under the circumstances, we posit, without fear of contradiction, that a genuine commitment to poverty eradication requires not a universal paradigm as envisaged through the global partnership model, but at minimum a revolutionary transformation in the policies and systems that limit the capacity of developing countries to make progress. Throughout history, developing countries have, through aspirations for an equitable global system, demonstrated the need to eliminate the inequalities that generate extreme poverty. This has manifested through the cross-cutting concept of the RTD, which, despite its potential as a model for poverty eradication, has met with resistance from developed countries.⁴⁰

In spite of the excessively competitive global environment, sustainable development is established to be achieved through the mostly paternalistic mechanism of global partnership, which, despite its foundation in international law, often only induces developing countries to remain permanently subordinate to developed countries. Although poverty eradication also entails exercising the right to self-determination against external domination, this guarantee has consistently been thwarted by a global system that does not guarantee sufficient legal protection to developing countries.⁴¹ To acknowledge the need for a universal commitment to combat poverty and yet deny legal recognition of the RTD advanced by developing countries, leaves us with the scholarly duty to question the potential of the global partnership model to achieve the eradication of extreme poverty.

Based on the profiling of extreme poverty as a phenomenon that is more localised in developing countries, and considering the fact that a one-size-fits-all model cannot adequately ensure its eradication, it is recommended that an alternative model be considered to address the problem. In this vein, we suggest the use of the RTD model for poverty eradication in the place of global partnership for combating poverty in developing countries.

Conflicting Approaches to Eradicating Extreme Poverty

Global partnership paradigm

Both the MDGs and the SDGs emphasise, in Goals 8 and 17 respectively, the need to strengthen global partnerships as the framework paradigm for the realisation of the global development agenda. The global partnership paradigm derives from the principle of international cooperation established under international law as a mechanism for resolving problems of a socio-economic and cultural nature, among others.⁴² Unfortunately, it ignores the principle of differentiation that has been advanced by developing countries to the effect that 'states cannot [reasonably] bear the same responsibilities in the fulfilment of international obligations'.⁴³ To this end, we look at the global partnership paradigm in this article specifically in terms of its potential to ensure the eradication of extreme poverty. In principle, the High Commission for Human Rights sees the global partnership as a collective framework structured to create an enabling environment free of structural impediments where developing countries are granted opportunities for advancement.⁴⁴ From an operational point of view, global partnerships represent established global financial pools and resource-based mechanisms through which funds are mobilised, especially from developed countries, and allocated to deal with specific challenges in developing countries.

Considered in broad terms, Sengupta describes global partnerships as a global compact that guarantees mutuality of obligation among all stakeholders 'so that the obligations of developing countries to carry out [...] rights-based programmes are matched with reciprocal obligations of the international community to co-operate to enable the implementation of the programmes'.⁴⁵ Sengupta's definition is of interest on account of the idea of mutual obligation requiring developed countries to respond with equal commitment to the efforts by developing countries to eradicate extreme poverty. What is uncertain about the global partnership model is whether the provision of development assistance, which has become like the principal *modus operandi*, actually responds in a rights-based manner to the requirements that need to be met for the extreme levels of poverty in developing countries to be wiped out.

Although Sengupta highlights that global partnerships have the advantage to guarantee equitable justice in development policymaking, economically advanced countries often use the partnership framework as a system of patronage to exert hegemony over developing countries.⁴⁶ While partnership is supposed to provide the framework for redressing global structural imbalances, as Salomon has noted,⁴⁷ Alemazung points out that for developed countries, partnerships rather provide the opportunity to dominate weaker developing countries.⁴⁸ Apart from French hegemony over francophone Africa, as shown above, China's involvement in Africa under the framework of South-South cooperation is also reported to be not in Africa's development interest but functioning 'primarily as a source of natural resources and market opportunities to fuel China's domestic growth'.⁴⁹ This has increasingly grown into the globalisation phenomenon that imposes an even greater threat to economically weak countries, which, because they cannot compete on an equitable basis, are constrained to become dependent on advanced capitalist economies.⁵⁰

Besides falling short of their obligations under international law, developed countries also abusively exploit developing countries, causing the unprecedented levels of inequalities and underdevelopment that impact adversely on poverty eradication initiatives.⁵¹ The eradication of extreme

poverty, it must be emphasised, is inextricably connected to the inalienable right to an adequate standard of living enshrined in the International Bill of Human Rights, which has often been interpreted to embody the RTD.⁵² Instead of sustained shared commitment to make the RTD a reality, developed countries have rather complicated its realisation, owing on the one hand to the lack of genuine commitments and on the other hand to the reluctance in acknowledging that developing countries are legitimately entitled to the RTD.⁵³ In this regard, former UN High Commissioner for Human Rights, Navi Pillay sees extreme poverty not as an act of nature but the outcome of the denial of the inalienable RTD.⁵⁴

Accordingly, the Declaration of the RTD highlights that ‘the refusal to recognise the fundamental right of peoples to self-determination’, which also implies the RTD, constitutes an obstacle to development and therefore, must be eliminated.⁵⁵ It means that global partnerships that aim at the eradication of extreme poverty, instead of focusing on providing development assistance, should rather seek to eliminate those factors that generate and sustain poverty. In this instance, it entails taking positive action by adopting a treaty, for example, granting legal recognition to the fact that the peoples in developing countries are indeed entitled to set their own development priorities and to legislate domestic policies to deal concretely with issues relating to extreme poverty.

Relevant to this, the High Commission for Human Rights sees global partnerships as providing the medium where development priorities and the RTD become mutually reinforcing.⁵⁶ The Commission estimates that focusing on the RTD can strengthen global partnerships and thus draw attention to the fact that countries that formulate their development strategies accordingly, are more likely to achieve greater development gains. The suggestion from the Commission for Human Rights is that developing countries are more likely to achieve higher benefits in poverty eradication by asserting the RTD. It equally means, in accordance with Sengupta’s conception of global partnerships as stated above, that developed countries ought to reciprocate by acknowledging the RTD as a poverty eradication model applicable to developing countries.

If the SDGs are formulated with the RTD in mind as it is established, there is a valid reason to require that the poverty initiative and the global partnership mechanism for its eradication be seen not necessarily from an economic growth point of view that informs the approach of developed countries but from a human rights point of view. The Canadian Council for International Cooperation holds that the universal crusade to eradicate poverty is inherently associated with claims for the realisation of the composite of human rights to live in dignity.⁵⁷ The depiction of extreme poverty as injustice, as explained earlier, means that it infringes on the human rights of the peoples in developing countries who are impacted by the problem.⁵⁸ The significance of framing poverty in human rights terms is, as Sibanda reasons, to attribute to it a reading that is not only political but also legal.⁵⁹ According to McInnes, converting political demands relating to poverty into the language of rights is intended on the one hand to expose the gravity of states’ failure in fulfilling their obligations and on the other hand, to radically change the way poverty is perceived.⁶⁰

Looking at poverty from a human rights point of view provides a normative framework within which the poor are seen not as victims deserving of charitable assistance but are recognised as the principal actors in poverty eradication programmes.⁶¹ Entitlement to active participation as subjects rather than objects of development constitutes one of the principal components of the RTD, which is acknowledged to have informed the formulation of the SDGs. The motivation to examine

poverty eradication from this angle thus also draws on the fact that the continuum of human rights that combine to aggravate poverty in developing countries has adequately been conceptualised as a claimable RTD. The latter is to be explored with the aim to determine to what extent it could be applied as a substitute functional model for the eradication of extreme poverty.

On the contrary, the scenario has rather been one of reluctance on the part of developed countries owing to the apprehension that the legal recognition of the RTD would impose an obligation on developed countries to provide development assistance to developing countries.⁶² It is true that established systems and institutions of global governance and international cooperation have consistently demonstrated a lack of political will to deal coherently and effectively with the major development challenges confronting the world.⁶³ Otherwise, there is no justification as to why, since the Declaration on the Right to Development was adopted in 1986, its recognition under international law has remained unnecessarily politicised.⁶⁴ With this analysis, we proceed to examine the RTD as an alternative model to poverty eradication, not only because the global partnership mechanism lacks the potential to do so, but because developing countries have consistently advocated for the recognition of such a right by the rest of the international community.

The right to development model

It has been appropriate for Whyte, although cynical in his approach, to question whether pursuing the RTD can actually bring about development, which in this context is understood to include poverty eradication.⁶⁵ According to Gawanas, development should aim to enhance peoples' capability to overcome poverty, social and economic challenges and human rights violations.⁶⁶ For Melo, poverty eradication constitutes the primary essence of development, meaning that every development effort must first and foremost aim to eradicate poverty.⁶⁷ Accordingly, Sengupta posits that the prevailing global development discourse requires conceptualising development in terms of the RTD.⁶⁸ This has evolved over the years into claims by developing countries to development as a human right entitlement, envisaging on the most part access to equitable opportunities for the poor, the freedom to make development choices and the liberty of action in setting development priorities.⁶⁹ Because extreme poverty constitutes one of the most daunting development challenges, we look at the RTD in terms of how entitlement to such a right could facilitate the eradication of extreme poverty in developing countries.

In making this determination, it is worth emphasising that the RTD cuts across aspirations for self-determination, which guarantees the right of choice in policy formulation. Broadly speaking, the RTD is explained to represent the process of development in which the composite of human rights and fundamental freedoms can progressively be achieved in a genuinely participatory manner to ensure equitable distribution for improved human well-being.⁷⁰ The basis for considering the RTD as a model for poverty eradication is established by the Millennium Declaration, which highlights the resolve to free humanity from the 'abject and dehumanising conditions of extreme poverty' through a commitment to 'make the RTD a reality for everyone'.⁷¹ On this account, two important interconnected considerations, namely legal recognition of the RTD and a robust rights-based policy framework, need emphasising, without which it is unlikely that the challenges of extreme poverty would be adequately redressed.

With regard to the first consideration, legal recognition of the RTD imposes an obligation for the respect, protection and fulfilment of the full range of universally recognised human rights guaranteed to the peoples in developing countries as they are to those in developed countries. Poverty has rightly been described as a violation of human rights, which constitutes a major obstacle to progress in developing countries.⁷² The reasoning here is that the impoverished peoples in developing countries are not poor because they are incapable, but rather because they are rendered poor by political design that robs them of the human right to live in dignity. If strategies aimed at poverty eradication are to become effective, it entails that within the sustainable development framework, focus is not only placed on poverty eradication but, as a matter of priority, that the peoples in developing countries are granted the liberty to exercise the RTD, which by nature embodies the range of all other human rights.

By conceptualising development in the language of human rights as point out, poverty eradication is set apart, not only as a moral obligation, but importantly as a legal imperative.⁷³ Although the human rights and development context allows a plurality of models, Perry identifies the RTD as constituting a novelty in the sense that it guarantees the simultaneous achievement of development objectives, poverty eradication and the realisation of human rights.⁷⁴ It implies, as Sengupta also indicates, that by asserting the RTD, sustainable development can be achieved with equity and justice.⁷⁵ Accordingly, the extremely poor – no matter that they may not have the capacity to make the US\$1,25 livelihood support income – can equally be recognised as active participants in shaping the processes of sustainable development rather than as objects of charity to be assisted and cared for.

By recognising the human person and all peoples as the central subject of development, Article 2 of the Declaration on the Right to Development affirms that through their purposeful participation, the challenges posed by poverty and human rights violations can be overcome. Thus, theoretically, the RTD is supposed to translate into practical assurances of freedom from want and fear of socio-economic deprivation as underscored in the preamble to the Universal Declaration of Human Rights. This thinking is explained by Sen's definition of poverty as a deprivation of the capacity to advance the human potential, which requires the freedom to make an informed choice.⁷⁶ According to Sen, development should amount to the removal of the various 'unfreedom[s]' that limit sensible action, which in this instance involves poverty eradication within the framework of sustainable development.⁷⁷ Poverty eradication, thus, ought to be seen as a process of expanding actual freedoms and human capabilities for sustained human well-being and improved standards of living.

Relating to the second consideration, the eradication of extreme poverty necessitates a more assertive human rights-based policy framework to regulate and to ensure equitable distribution of the resources that are essential for improved well-being. Intrinsic in the RTD is the entitlement to resource ownership, which in spite of its indispensability for the eradication of poverty, the peoples remain deprived of in developing countries. Dispossession, as it is noted, amounts to a 'denial of [the] fundamental human right to development'.⁷⁸ As a practical illustration, the African Commission recounts in the *SERAC* case how Africa's resources were abusively exploited to the benefit of European colonisers who deprived the African peoples of their birth right of ownership and alienated them from their ancestral lands.⁷⁹ This, the Commission notes, has left the African

continent vulnerable to continuous foreign exploitation and, therefore, also limits the capacity of the peoples of Africa to shape a livelihood free of poverty.

To achieve equitable distribution entails that in the face of global competition, the peoples in developing countries take legal ownership to freely dispose of their natural wealth and resources in accordance with the policies they have freely opted for and in a manner that is satisfactory and beneficial to the poor. A rights-based policy framework for the eradication of extreme poverty in the form of the RTD is indeed envisaged by law. As one of the prerequisites for the realisation of the RTD, states are entitled under international law to formulate appropriate national development policies to ensure improved well-being for their peoples.⁸⁰ With this guarantee, the RTD is established to represent a policymaking tool that is informed by aspirations to maximise human well-being.⁸¹

As a policy mechanism, the RTD also envisages both legislative and regulatory measures to ensure accountability against abuse, injustice and impunity, a participatory process that is people-driven, an integrated system that guarantees equitable redistribution of development gains and a context within which new ways of advancing human productive capabilities can be sought. If developing countries were to enjoy the liberty to determine their own development policies without constraint, as envisioned within the context of the RTD, we submit that extreme poverty would be redressed without much difficulties.

However, faced with increasing globalisation, including in the area of sustainable development, the policy choices of developing countries have remained constrained owing to the commitment to flow with the tide of the global development agenda and, of course, to dance to the rhythm of global partnerships. Sengupta affirms the fact that globalisation limits the capacity of developing countries to make their own development choices because domestic policies and practices in most of these countries are often controlled and regulated by external actors.⁸² Because of their patronising influence, developed countries tend to dominate global development processes in terms of formulating policies, setting the development agenda and determining the rules for implementation, and, in that process, leave developing countries unfairly disadvantaged.⁸³

Poverty eradication in this instance entails, as envisaged in Article 5 of the Declaration on the RTD, eliminating such structural obstacles and systemic policies that retard progress in developing countries. While the commitment to eradicate extreme poverty requires the concerted efforts of every country around the world, it is crucial to state that it does not benefit developing countries to be treated as dependants on the benevolence of developed countries. More relevantly, the expectation is rather in terms of requiring developed countries to change their imperialistic policies, which, instead of curbing the extreme levels of poverty, rather breathes new dimensions. Despite the well-crafted aspirations for a better world as contained in the SDGs, we contend that the idea of global partnerships for the realisation of those goals is skewed in favour of developed countries to continue to exert dominance, and therefore, is only likely to drive developing countries into more deplorable levels of poverty.

Although emphasis is placed on global partnerships, the realisation of the SDGs does not preclude recourse to alternative models, especially because universal paradigms often are not uniformly applicable to every situation. It is thus fair, based on the need to apply equity in international law as Pauw et al. bring to the spotlight, to consider other options in redressing the problem

of extreme poverty.⁸⁴ The sustainable development framework, as Bonanomi also rightly indicates, allows for differentiated responsibilities in dealing with issues of global concern.⁸⁵ Differentiation implies that, even though states are guided by the principle of sovereign equality under international law, because of the significant differences that exist between developed and developing countries, they cannot practically incur equal responsibilities.⁸⁶

It is undeniable that international law, in its current form, is more protective of developed countries than it is for developing countries.⁸⁷ In this instance, because developing countries are largely rendered poor through exploitation,⁸⁸ and because extreme poverty weighs more on developing countries than it does on developed countries, equity demands that the RTD be recognised as a model for poverty eradication applicable to developing countries. Consequently, developed countries are enjoined with the moral obligation to acknowledge that developing countries are legitimately entitled to the RTD, which guarantees the right to make the policy choices that are relevant to their specific development priorities, objectives and circumstances.

We argue that the RTD allows developing countries the liberty to choose between pursuing global partnerships, which unnecessarily yoke developing countries into relationships of dependency on the one hand and asserting the RTD as a differentiated model for poverty eradication on the other hand. It makes perfect sense, therefore, for developing countries, if they hope to stem the tide of poverty, to become more assertive in their claim on the RTD rather than pursuing charity-based development assistance promised through global partnerships. Contrary to the civilisation ideology, the donor/recipient approach and, as Bilal puts it, the 'we will help you' mindset that informs partnerships between developed and developing countries,⁸⁹ the RTD conveys the 'leave us alone' thinking, which deserves to be given particular attention. This stance is supported by the often unfulfilled expectations resulting from the inconsistencies in global arrangements that aim at poverty eradication.⁹⁰

If injustice and oppression perpetrated by developing countries are accepted to constitute the primary determinants of extreme poverty, as we have argued, it is illogical to think that these fundamental causes of poverty can be removed through the same systems that create them. Understandably, in our view, the context of international development, which is characterised by the politics of conflicting interests, demands a fair measure of equity in international relations and cooperation. However, developed countries have indeed demonstrated time and again, that under the prevailing context of international law, a global order characterised by genuine equality between states, necessitating the same measure of responsibility and commitment, is not feasible.

Nobbe draws attention to the fact that on several occasions during the working sessions of the Open Working Group on the SDGs, developing countries insistently advocated for the incorporation of the principle of common but differentiated responsibilities to guide the realisation of the SDGs.⁹¹ Based on this understanding, instead of forging ahead with global initiatives intended to create an enabling environment for poverty eradication, which Pogge says is unattainable,⁹² the eradication of extreme poverty ought to employ a more radical approach to transform the global systems that sustain its existence. It requires developing countries to restrain and drastically curb the privileges that allow developed countries patronage and dominance over their economies and, for the most part, to appropriate the RTD as a differentiated model for poverty eradication.

As a practical illustration, China has emerged as a leading proponent of the RTD with unprecedented achievements in reversing the trend of poverty, which has been phenomenal and which has motivated other developing countries to adopt the RTD model in combating poverty.⁹³ With a population of over 1,3 billion people, China remains the world's largest developing country in the world. In 1949, over 80 per cent of the Chinese population was illiterate and average life expectancy stood at only 35 years.⁹⁴ However, a World Bank Report of 2005 indicates that in the period between 1981 and 2005, China's poverty rate dropped significantly from 85 per cent to 15 per cent.⁹⁵

In accordance with Paragraph I(10) of the Vienna Declaration, which states that 'development facilitates the enjoyment of all human rights', China takes cognisance of the fact that '[p]overty is the biggest obstacle to human rights' and that '[d]evelopment is a means of eliminating poverty'.⁹⁶ China's scientific outlook on economic growth-oriented development as a means to eradicating poverty and therefore also as a mechanism for the realisation of human rights sets a value objective for the RTD, which the people of China distinguish as the most important of all human rights.⁹⁷ Based on its affinity to the ideologies of Chinese socialism and the promotion of communitarian values, China believes that sustainable livelihood for its predominantly impoverished population entails prioritising socio-economic and cultural rights and the RTD.⁹⁸

The imperative to raise living standards constraints China to create an enabling environment through appropriate domestic policies that allow the poor to navigate out of poverty. In accordance, China has within 40 years effectively 'lifted 700 million [of its] people out of poverty', accounting for 'more than 70 per cent of the global reduction in poverty',⁹⁹ which, as the World Bank acknowledges, represents the largest poverty eradication project in human history.¹⁰⁰ China alone contributes immensely to meeting the global targets for reducing poverty, without which the poverty population of the world would rather have increased remarkably.¹⁰¹ It is worth pointing out that contrary to the quest for global partnerships, China's gains in poverty reduction have been mainly achieved through exercising the RTD in their poverty eradication programming.

Regardless of the recorded achievements, as a direct consequence of China's tremendous economic growth, the level of pollution is increasingly posing a serious threat both to the environment and to human survival. In addition, China's human rights record raises important concerns, particularly with regard to civil and political rights and the inequalities resulting from the imbalances in economic growth, as a result of which it has often been criticised for human rights violations. China acknowledges that over 500 million of its people, particularly in the rural areas, are currently still living in extreme poverty, that is, unable to sustain a livelihood, which means that development gains in that country are yet to be redistributed equitably. The standards for the realisation of the RTD require that conditions are made favourable for the awareness of the composite of universally recognised human rights. If China is to sustain its poverty eradicating campaign by guaranteeing the RTD to its people, both civil and political rights and socio-economic and cultural rights, as well as the collective right to a healthy and conducive environment, must be given equal preference.

Reassuringly, by adopting the White Paper on the Right to Development, China reaffirms its commitment to ensure that the target outlined in the SDGs to eradicate extreme poverty by 2030 is achieved and sustained.¹⁰² The White Paper theorises the Chinese philosophy on the RTD and elaborates the practical measures for its realisation. It incorporates in the right to a development

model for poverty eradication the idea of intergenerational equity, which is based on the notion of equitable allocation of the resources necessary for development, to ensure sustainable eradication of poverty for the present generations as a guarantee that future generations will not have to live in poverty.

Conclusion

In conclusion, it is relevant to reiterate the fact that extreme poverty in developing countries results primarily from global injustices. The appropriate means to deal with these injustices, as we argue, cannot be through bailout in the form of development assistance through the counterproductive mechanism of global partnership. If the eradication of extreme poverty is to be achieved by 2030, we concur with Khan in suggesting that the stakeholders that generate and sustain global inequalities have an obligation to make reasonable efforts to prevent a recurrence of those unfair practices.¹⁰⁵ It is noted in the Declaration on the Right to Development that foreign domination, which we argue is embedded in global partnership arrangements as a generating factor of extreme poverty, constitutes an obstacle to the realisation of the RTD.¹⁰⁴ Pragmatically, instead of aiming narrowly at poverty eradication, attention should rather focus on promoting the quest for a reformed global economic system that guarantees fair treatment and equity in opportunities for development, which developing countries have consistently propagated.

Unfortunately, these 'Third World'-driven campaigns, which are rooted in the right to self-determination against the global systems of domination that sustain extreme levels of poverty, have never appealed to the rest of the international community. The campaign for a New International Economic Order championed in the 1970s by the group of developing countries, for example, which specifically aimed at a restructured system of global governance to reflect prospects for the advancement of developing countries was punctured by developed countries and, therefore, never got to achieve its intended objective.¹⁰⁵ It, however, helped to spotlight the fact that the unfettered economic growth ambitions of developed countries unnecessarily hinder progress and thus escalates poverty to extreme proportions in developing countries.

If the rest of the world is genuinely concerned about poverty eradication, sound reasoning demands that consideration is given to the persistent quest by developing countries for the radical structural transformation of how the global system is designed to operate.¹⁰⁶ It entails, as Ewanfoh explains, an enabling environment where existing obstacles to development are eliminated and the global system is restructured to avert the breeding of new obstacles.¹⁰⁷ Contrary to this perception, developed countries have demonstrated, as Ngang observes, that they are not particularly interested in seeing a shift in power relations in favour of greater leverage for developing countries.¹⁰⁸ In spite of the rationale for such a balance in power relations, the quest for global equity is shunned by developed countries, and efforts to secure universal legal recognition of the RTD remain unreasonably politicised.

From the preceding, it is clear that the interests of developing countries are neither guaranteed nor sufficiently protected within the global framework, leading to the conclusion that the eradication of extreme poverty cannot be achieved through global partnerships, which we contend is

designed to keep developing countries under patronage. The argument obtains from the evidence put forth by Pogge to the effect that global partnerships have not succeeded in creating the context for poverty eradication.¹⁰⁹ In keeping with the global agenda for development, which highlights the relevance of the RTD, and drawing from the Chinese experience, we conclude that because extreme poverty is more localised, its eradication requires developing countries to take the initiative by asserting the RTD as a model for poverty eradication.

Notes and References

- * Serges Djoyou Kamga's research for this article was supported in part by the National Research Foundation of South Africa (Grant Numbers 109395).
- 1 Kamga, S.D., 2017. The Right to Development and the post-2015 Agenda. In Zondi, S. and Mthembu, P. (ed.). From MDGs to Sustainable Development Goals. Cape Town: Institute for Global Dialogue/UNISA, p.37.
 - 2 Ngang, C.C., 2017. Differentiated Responsibilities under International Law and the Right to Development Paradigm for Developing Countries. *Human Rights & International Legal Discourse*, 11(2), pp.270-272.
 - 3 United Nations. General Assembly, 2015. Transforming our world: the 2030 Agenda for Sustainable Development Resolution A/RES/70/1 adopted by the General Assembly on 27 September 2015, Goal 1, Target 1.1.
 - 4 Ngang, 2017, pp.274-275.
 - 5 UN General Assembly 2015, Paragraph 10.
 - 6 Kirchmeier, F., 2006. The Right to Development – Where do we Stand? State of the debate on the Right to Development. *Dialogue on Globalization: Friedrich Ebert Stiftung*, 23, pp.12-14.
 - 7 Udombana, N.J., 2000. The third world and the right to development: Agenda for the next millennium. *Human Rights Quarterly*, 22(3), pp.769-770.
 - 8 United Nations. Economic and Social Council, Committee on Economic, Social and Cultural Rights, 2001. *Poverty and the International Covenant on Economic, Social and Cultural Rights*. Statement adopted on 4 May 2001, Paragraph 8.
 - 9 UN General Assembly, 2015, Paragraph 50.
 - 10 Pogge, T. (ed.). 2008. *Freedom from Poverty as a Human Right: Who Owes What to the Very Poor?* Oxford: Oxford University Press, p.3.
 - 11 Kamga, 2017, p.37.
 - 12 Pogge, T.W., 2004. Philosophy Seminar. *Severe Poverty as a Human Rights Violation*. UNESCO Poverty Project, All Souls College Oxford, p.1.
 - 13 Pogge, T., 2005. World poverty and human rights. *Ethics and International Affairs*, 19(1), pp.1-7.
 - 14 Salomon, M.E., 2008. Legal cosmopolitanism and the normative contribution of the right to development. In Marks, S.P. (ed.). *Implementing the Right to Development: The Role of International Law*. Geneva: Friedrich-Ebert-Stiftung, p.17.
 - 15 Pogge, 2015, p.1.
 - 16 Organisation for Economic Cooperation and Development, 2002. History of the 0.7 per cent ODA target. *DAC Journal*, (revised June 2010) 3(4), pp.III-9–III-11.
 - 17 Sustainable Development Solutions Network, 2012. Global profile of extreme poverty. *Background paper for the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda*. 15 October 2012, p.3.
 - 18 Brand, D., et al. 2013. Poverty as Injustice. *Law, Democracy & Development*, 17, pp.274-275.
 - 19 *Ibid.*, p.275.
 - 20 Jordan, G., 2004. The Causes of Poverty – Cultural vs. Structural: Can There be a Synthesis? *Perspectives in Public Affairs*, Spring, pp.18-19.
 - 21 Brand, et al., 2013, pp.275-276.
 - 22 Bhorat, H. and Van der Westhuizen, C., 2012. Poverty, inequality and the nature of economic growth in South Africa. *DPRU Working Paper 12/151*, pp.1-3.
 - 23 Aliber, M., 2002. Poverty eradication and sustainable development. *Human Sciences Research Council – Occasional Paper*, p.2.
 - 24 Prada, M.F., 2011. Empowering the Poor through Human Rights Litigation. Paris: UNESCO, p.7.
 - 25 Ayttey, G.B.N., 2009. Can Foreign Aid Reduce Poverty?: No. In Haas, P.M. and Hird, J.A. (ed.). *Controversies in Globalisation: Contending Approaches to International Relations*. New Delhi: SAGE Publishing, pp.72-88.

- 26 Khan, E., 2013. Global poverty, structural injustice and obligations to take political action. *PhD Thesis University of York*, p.13.
- 27 Melo, A., 2008. Is there a right to development? *Rizoma Freireano – Instituto Paulo Freire de España*, 1(2), pp.3-4.
- 28 Pogge, 2005, pp.3-5.
- 29 Salomon, M.E., 2007. International economic governance and human rights accountability. *Law, Society and Economy Working Paper No 9*, pp.1-28.
- 30 Van der Have, N.S., 2012. *The right to development and state responsibility: Towards idealism without a sense of realism?* Unpublished LLM thesis, University of Amsterdam, p.9.
- 31 Ayittey, 2009, pp.88-89.
- 32 Diez, C., 2014. Policy brief and proposals: Common but differentiated responsibilities. *International Movement ATD Fourth World*, p.3.
- 33 Whatley, W. and Gillezeau, R., 2009. The impact of the slave trade on African economies. *Department of Economics University of Michigan*, p.2.
- 34 Heldring, L. and Robinson, J.A., 2012. Colonialism and economic development in Africa. *National Bureau of Economic Research – Working Paper 18566*, pp.10-12.
- 35 Nunn, N., 2006. The long-term effects of Africa's slave trades. *Journal of Economic Literature*, pp.139-176.
- 36 Declaration on the Right to Development Resolution 41/128 adopted by the UN General Assembly on 4 December 1986, Articles 1 and 2.
- 37 Le Vine, V.T., 2004. *Politics in Francophone Africa*. Boulder: Lynne Rienner, pp.2-6.
- 38 Koutonin, M.R., 2014. 14 African countries forced by France to pay colonial tax for the benefits of slavery and colonisation. *Silicon Africa*. Available at: <http://www.siliconafrika.com/france-colonial-tax/> [Accessed 30 May 2017].
- 39 Saah, N.C., (Forthcoming publication). 'Marianne' – The symbol of freedom: A critical analysis in light of the right to development. In Ngang, C.C., Kamga, S.D. and Gumede, V. (ed.). *Perspectives on the Right to Development*. Pretoria: PULP.
- 40 Kirchmeier, 2006, p.10.
- 41 Kwakwa, E., 1987. Emerging international development law and traditional international law: Congruent or cleavage? *Georgia Journal of International and Comparative Law*, 17, p.453.
- 42 United Nations, Charter of the United Nations [UN Doc. 59 Stat. 1031: TS 993: 3 Bevans 1153] (1945), Article 1 (3), 55 - 56. ICESCR 1966: Article 2 (1)].
- 43 Ngang, 2017, pp.270-271.
- 44 United Nations, 2010. The right to development – framework for achieving the MDGs. *UNOHCHR Infonote/MDGsR2D/15072010*.
- 45 Sengupta, A., 2004. The human right to development. *Oxford Development Studies*, 32(2), p.196.
- 46 *Ibid.*, pp.194-197.
- 47 Salomon, 2008, p.50.
- 48 Alemazung, J.A., 2010. Post-colonial colonialism: An analysis of international factors and actors marring African socio-economic and political development. *The Journal of Pan African Studies*, 3(10), pp.70-73.
- 49 Sun, Y., 2014. Africa in China's Foreign Policy. *John L Thornton China Centre and Africa Growth Initiative*, pp.1-2.
- 50 Majekodunmi, A. and Adejuwon, K.D., 2012. Globalization and African political economy: The Nigerian experience. *International Journal on Academic Research, Business and Social Science*, 2(8), pp.189-206.
- 51 Kirchmeier, F., Luke, M. and Kalla, B., 2008. Towards the Implementation of the Right to Development. Geneva: Friedrich-Ebert-Stiftung, p.7.
- 52 See Ngang, C.C., 2018. Towards a right to development governance in Africa. *Journal of Human Rights*, 17(1), p.108.
- 53 De Renzio, P. and Seifert, J., 2014. South-south cooperation and the future of development assistance: Mapping actors and options. *Third World Quarterly*, 35(10), p.1870.
- 54 Oduwale, O.O., 2014. International law and the right to development: A pragmatic approach for Africa. *Institute of Social Studies*, p.3.
- 55 Declaration on the Right to Development, Article 5.
- 56 United Nations, 2010.
- 57 Canadian Council for International Co-operation, 2008. *The Global Challenge to End Poverty and Injustice: A Canadian 10-point Agenda*. Ottawa: Canadian Council for International Co-operation, p.4.
- 58 Prada, 2011, p.17.
- 59 Sibanda, S., 2011. Not purpose-made!: Transformative constitutionalism, post-independence constitutionalism and the struggle to eradicate poverty. *Stellenbosch Law Review*, 3, p.483.
- 60 McInnes, P., 2005. *Making the kettle boil: Rights talk and political mobilisation around electricity and water services in Soweto*. Unpublished LLM dissertation, University of Witwatersrand, p.3.

- 61 Prada, 2011, p.17.
- 62 Kirchmeier, 2006, p.10.
- 63 Betteraid, 2010. Development effectiveness in development cooperation: A rights-based perspective. *Betteraid*, p.1.
- 64 Marks, S.P., 2011. The politics of the possible: The way ahead for the right to development. Geneva: Friedrich Ebert Stiftung, p.3.
- 65 Whyte, J., 2007. Book review: Development as a human right edited by Bard A. Andreassen and Stephen P. Marks. London: Harvard University Press. *The Electronic Journal on Sustainable Development*, 1(1), p.47.
- 66 Gawanas, B., 2009. The African Union: Concepts and implementation mechanisms relating to human rights. In Bosl, A. and Diescho, J. (ed.). *Human Rights in Africa: Legal Perspectives on their Protection and Promotion*. Windhoek: Macmillan Namibia, p.145.
- 67 Melo, 2008, p.4.
- 68 Sengupta, 2004, pp.180-181.
- 69 Ougergouz, F., 2003. The African Charter on Human and Peoples' Rights: A Comprehensive Agenda for Human Dignity and Sustainable Democracy in Africa. Netherlands: Martinus Nijhoff Publishers, p.289.
- 70 Sengupta, 2004, p.180.
- 71 United Nations, 2000. Millennium Declaration Resolution A/RES/55/2 adopted by the UN General Assembly on 18 September 2000, Paragraphs 11-20.
- 72 Doz Costa, F., 2008. Poverty and human rights from rhetoric to legal obligations: A critical account of conceptual frameworks. *SUR – International Journal of Human Rights*, 5(9), pp.86-88.
- 73 Gauri, V. and Gloppen, S., 2012. Human rights based approaches to development: Concepts, evidence and policy. *World Bank Development Research Group*, p.2.
- 74 Perry, R., 2011. Preserving discursive spaces to promote human rights: Poverty reduction strategy, human rights and development discourse. *Journal on Sustainable Development, Law and Policy*, p.78.
- 75 Sengupta, A., 2002. On the theory and practice of the right to development. *Human Rights Quarterly*, 24(4), p.850.
- 76 Sen, A., 1999. *Development as Freedom*. Oxford: Oxford University Press, pp.87-95.
- 77 *Ibid.*, pp.xii, 1 and 8.
- 78 Sengupta, A., 2006. A rights-based approach to removing poverty. In Ingram, J. K. and Freestone, D. (ed.). *Human Rights and Development*. The World Bank Institute, p.8.
- 79 *Social and Economic Rights Action Centre (SERAC) and Another v Nigeria* Comm 155/96(2001) AHRLR 60 (ACHPR 2001), Paragraph 56.
- 80 Declaration on the Right to Development, Article 2 (3).
- 81 UN Human Rights, 2013. *Realizing the Right to Development*. Geneva: United Nations, p.495.
- 82 Sengupta, 2004, p.194.
- 83 Ngang, 2017, p.288.
- 84 Pauw, P., et al., 2014. Different perspectives on differentiated responsibilities. *Discussion Paper 6/2014 – German Development Institute*, p.3.
- 85 Bonanomi, E.B., 2015. *Sustainable Development in International Law-Making and Trade*. Cheltenham: Edward Elgar Publishing, pp.4-5.
- 86 Ngang, 2017, p.270.
- 87 Anghie, A., 2005. *Imperialism, Sovereignty and the Making of International Law*. Cambridge: Cambridge University Press, p.108.
- 88 Kirchmeier, Luke and Kalla, 2008, p.7.
- 89 Bilal, S., 2012. The rise of south-south relations: Development partnerships reconsidered. *European Centre for Development Policy Management*, p.1.
- 90 Milani, C.R.S. and Muñoz, E.E., 2013. Does the south challenge the geopolitics of international development cooperation? *Geopolítica(s)*, 4(1), p.35.
- 91 Nobbe, C., 2015. Universality, common but differentiated responsibilities and the sustainable development goals. *Institute for International and Security Affairs – Working Paper FG 8 2015/01*, p.5.
- 92 Pogge, T., 2015. The Sustainable Development Goals: Brilliant propaganda? *Annals of the University of Bucharest, Political Science Series ISSN 1582-2486*, p.1.
- 93 Angang, H., Linlin, H. and Zhixiao, C., 2003. China's economic growth and poverty reduction (1978-2002). Available at: <https://www.imf.org/external/np/apd/seminars/2003/newdelhi/angang.pdf> [Accessed 20 November 2017], pp.1-3.
- 94 China State Council Information Office, 2016. The right to development: China's philosophy, practice and contribution. Available at: http://english.gov.cn/archive/white_paper/2016/12/01/content_281475505407672.htm [Accessed 28 February 2018].

- 95 The World Bank, 2005. Reducing poverty on a global scale: Learning and innovating for development. Available at: <http://documents.worldbank.org/curated/en/157381468242667024/Reducing-poverty-on-a-global-scale-learning-and-innovating-for-development> [Accessed 26 November 2017].
- 96 Ibid.
- 97 Webster, T., 2012. China's human rights footprint in Africa. *Colombia Journal of Transnational Law*, 51, p.634.
- 98 Ibid., pp.633-634.
- 99 Stahl, A.K., 2012. Trilateral development cooperation between the European Union, China and Africa: What prospects for South Africa? *University of Stellenbosch Centre for Chinese Studies – Discussion Paper No 4*, p.12.
- 100 The World Bank, 2005.
- 101 Angang, Linlin and Zhixiao, 2003, p.3.
- 102 China State Council Information Office, 2016.
- 103 Khan, 2013, p.15.
- 104 Declaration on the Right to Development, Article 5.
- 105 Nagan, W.P., 2013. The right to development: Importance of human and social capital as human rights issues. *Cadmus Journal*, 1(6), p.26.
- 106 Clapp, J., 2006. Developing countries and the WTO agriculture negotiations. *The Centre for International Governance Innovation – Working Paper No 6*, pp.1-2.
- 107 Ewanfoh, O.P., 2014. Under-development in Africa: My Hands are Clean. Lulu.com, p.140.
- 108 Ngang, 2017, pp.280-281.
- 109 Pogge, 2015, pp.1-15.