

The United Nations and the Imperatives for Implementing the Rules of International Development Law

Nesrine Nemouchi¹

Abstract

This article examines the United Nations' role in promoting and operationalizing international development law, with particular emphasis on the normative and institutional architecture through which development has been framed as a shared international objective and a human right. It analyses key instruments such as the 1986 Declaration on the Right to Development and the 2030 Agenda for Sustainable Development, alongside the contributions of UN organs including ECOSOC and UNDP in shaping policy guidance and disseminating development norms. The study finds that, despite significant normative consolidation, implementation remains structurally constrained by the predominantly soft-law character of international development law, donor-driven financing patterns, and asymmetric power relations within the UN system. It concludes that strengthening compliance requires more binding monitoring mechanisms and more inclusive participation of developing countries in agenda-setting and development governance.

Keywords: *Compliance; Development Governance; Economic And Social Council (ECOSOC); International Development Law; Right To Development; United Nations Development Programme (UNDP).*

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Introduction

The concept of development has attracted sustained international attention and concern since the establishment of the United Nations in 1945. The issue acquired heightened salience in the early 1960s, when the international community became able to refocus on development after the major phase of decolonization had largely run its course. This historical juncture rendered necessary the emergence of a body of international legal norms specifically concerned with development, alongside the traditional corpus of international law centred on international peace and security. Moreover, the evolving dynamics of international relations played a decisive role in intensifying scholarly and political interest in development at the global level. As international relations increasingly came to be marked by uncertainty and ambiguity, the standing and role of the United Nations were brought into sharper relief through its contemporary approach to development as a universal organization. Yet the Organization's Charter-based architecture and institutional design have increasingly appeared misaligned with an international environment whose contours differ profoundly from the historical context within which the United Nations was originally constituted.

Accordingly, this study seeks to approximate—analytically and conceptually—the international reality surrounding one of its most salient issues, namely development in its international dimension, by examining the role and efforts of the United Nations in advancing development within relevant conceptual and analytical frameworks. It further interrogates the extent to which UN development programmes comply with the principles and foundations of international development law, against the backdrop of doctrinal and theoretical contestation over the meaning of development, as well as divergent State positions regarding the modalities and pathways through which development may be achieved. The central research problem may therefore be formulated as follows:

To what extent do United Nations development programmes conform to the rules of international development law, given that the Organization operates within an asymmetrical international environment and amid actors and stakeholders whose premises and strategic interests are often conflicting?

¹ Echahid Cheikh Larbi Tebessi university, Tebessa (Algeria), Email: nesrine.nemouchi@univ-tebessa.dz.

To address this overarching question, it is disaggregated into the following subsidiary questions:

- What are the international legal frameworks governing development, including the Right to Development and the foundational principles of human rights?
- To what extent do international financing, investment, and development assistance policies affect the United Nations' capacity to implement its programmes in accordance with international development law?
- How does the United Nations manage the tension and potential incompatibility between the interests of Member States and those of other international actors in the implementation of development programmes?

Building on the core question concerning the degree of compatibility between UN development programmes and the rules of international development law in an asymmetrical international setting—and after disaggregating it into subsidiary questions encompassing legal, political, economic, and institutional dimensions—this study advances the following guiding hypothesis:

Although United Nations development programmes are formally grounded in the rules of international development law and the Right to Development, they are constrained by institutional, political, and economic limitations arising from the asymmetrical structure of the international environment and the conflict of interests among States and other international actors. This, in turn, generates a discernible gap between the theoretical legal commitment and the practical implementation of development programmes.

This study primarily adopts a descriptive–analytical method, supplemented by a historical–political approach to examine the international context in which international development law emerged, and an institutional approach to analyse the role of UN organs. It further mobilizes political–economy perspectives and a critical method in order to elucidate the limits of applying the rules of international development law under the structural distortions inherent in the international system.

Accordingly, the study is structured around three interrelated axes: Axis I delineates the conceptual field of the study by tracing the evolution of the concept of development and examining international development law in terms of its content, sources, and the rationales underpinning its emergence; Axis II analyses the United Nations' strategy for the institutionalization of the Right to Development, focusing on the UN's response to development challenges in the Third World, the elevation of development onto the agenda of the General Assembly, and the relationship between the United Nations Development Programme (UNDP) and international development law; and Axis III interrogates the broader international environment and the constellation of actors shaping development programmes, with particular attention to the effects of structural asymmetry within the international system, the conflicting premises and differentiated roles of international actors in formulating and steering development policies and programmes, and the political–economic determinants of implementing UN development initiatives and ensuring compliance with the rules of international development law, before concluding with a synthesis of the principal findings.

The Semantic Field of the Study

The Evolution of the Concept of Development

The concept of development is regarded as one of the most significant global concepts since the beginning of the twentieth century. It has been used to denote the process of establishing coherent economic and political systems—what is commonly termed the “development process”—and it refers, in particular, to the post-independence transformations witnessed in the 1960s across Asia, Africa, and Latin America. The importance of the concept of development lies in the multiplicity of its dimensions and levels, as well as in its interpenetration with a range of related notions such as planning, production, and progress.

The notion of development (*développement*) became especially salient after the Second World War. From its early appearance in the intellectual era associated with the prominent British economist Adam Smith in the last quarter of the eighteenth century until the Second World War, however, the term was used only exceptionally; the expressions more commonly employed to denote the societal transformation in question were “economic progress” or “material progress” (Rist, 2008, p. 5).

In recent decades, the concept of development has undergone profound evolution to the extent that the human being has become the (central focus), the maker, and the ultimate objective of the process, whereas traditional development theories in earlier periods had placed the maximization of economic growth rates at the top of their priority agenda. Economists, accordingly, used to assess whether a country’s situation was favourable or unfavourable by reference to the rate of growth in its gross national output and whether it had accelerated or decelerated (Escobar, 1995, p. 27).

For most traditional scholars—particularly proponents of modernization theory—development consolidated as a linear, time-sequenced trajectory: underdeveloped countries were deemed to have failed to catch up with industrialization and progress; thus, their twentieth-century economies were portrayed as analogous to those of Western Europe prior to the eighteenth-century Industrial Revolution (United Nations Development Programme [UNDP], 1990). Consequently, these countries were urged to replicate and emulate the European experience through direct immersion in the economic process in order to catch up with advanced States.

The theoretical and practical inability of Western growth theory to apprehend the determinants and problems of development in the Third World prompts a critical question: does the success of development depend on the capacity for structural transformation within Third World societies toward an externally defined development pattern? Or does it hinge on these societies’ ability to adapt the development model in accordance with the specificities and conditions of the society to be developed? (Escobar, 1995, pp. 212–214).

Following an intellectual “gestation” spanning nearly three decades of development experiments, the concept of human development was adopted. It may be noted here that the United Nations had previously embraced the concept of social development, which crystallized in the mid-1950s. Among other development notions emanating from the United Nations is the concept of endogenous, human-centred development, which evolved within UNESCO through thinkers from developing countries, including the Egyptian philosopher and social theorist Anouar Abdel-Malek (Abdel-Malek, 1981, pp. 143–158).

After the failure to achieve the objectives of the First and Second Development Decades—namely, attaining a specified level of economic growth for low-growth countries, as promoted by the United Nations and the International Monetary Fund—a comprehensive review of the development process emerged even from the economists who had originally devised “ready-made” economic models for implementation (UNDP, 1990, pp. 9–12).

The Human Development Report issued by the United Nations Development Programme (UNDP) defined development in terms of the nature and degree of the relationship between economic growth and human development, the latter being conceptualized as the expansion of people’s choices by providing them opportunities in employment and income, health, education, and fundamental rights. The report emphasizes that economic growth is a means, whereas development is the end. In this context, it underscores the importance of partnership among governments, private-sector institutions, and civil-society organizations in managing this process (Todaro & Smith, 2020, pp. 45–52).

Despite significant progress in improving health standards, increasing life expectancy, and reducing mortality rates generally and infant mortality in particular—progress that international bodies often celebrate as resulting from the adoption of development strategies in developing countries—reality indicates that the primary driver of these achievements has been advances in medical means and technological innovations.

Accordingly, the concept of development appears far broader than the UNDP definition, which revolves around economic growth, improved human conditions, and basic freedoms; development has more expansive dimensions. Development is not merely an improvement in living standards, even if that is among its outcomes, but rather a continuous objective and a sustained, accumulating capacity for evolution, growth, and advancement (Sen, 1999, pp. 3–11).

Development may be viewed simultaneously as an end in itself and as an instrument, meaning that it is a process in which human agency plays a decisive role, since the human element constitutes the leader of deliberate change, whether at the individual or collective level (Sen, 1999, pp. 87–90).

In sum, the concept of development may be understood as growth characterized by scale, substantive content, inclusiveness, speed, and directional dynamism—features that could not all be realized without significant changes in cultural, social, political, and institutional structures, as well as in the structures and active القوى (forces/actors), in addition to important transformations within the economic domain itself. This understanding immediately reveals the breadth and richness of the concept of development, encompassing economic and non-economic changes in society. In this regard, the UN Secretary-General (1961–1971), the parliamentarian U Thant, affirmed that development equals growth + change, and that change is social and cultural as well as qualitative and quantitative.

In conclusion, if development is that complex, accelerated process through which society and the economy transition from a condition marked by stagnation, decline, and distortion in social, economic, and cultural structures and mentalities to a condition characterized by progress and harmony—through investment in local material and human capacities and in the cultural heritage of the peoples targeted by this process of change—then it must be endogenous, grounded in the efficacy of “specificity” as a mobilization of internal material and popular energies. Development, in this sense, is not fundamentally about transferring resources from one country to another in the form of aid, but rather about mobilizing existing national resources, which are often abundant in developing countries.

International Development Law — Sources (Foundations), Rationales for Emergence, and Characteristics

Most jurists define international development law as the methods and mechanisms that address problems of development and cooperation. International development law refers to the international economic legal rules that regulate issues of development and cooperation between developing and developed States.

This body of law may also be defined as a set of international legal rules whose subject matter concerns granting developing countries special and more favourable treatment. These rules aim to serve developing countries in achieving economic independence and advancing economic, social, and cultural development; or, at a minimum, to contribute—through cooperation with developed States—to the construction of a more equitable global order.

Alternatively, it may be described as a body of law that addresses various matters aimed at narrowing the gap between developed and developing countries, particularly with respect to technology transfer, financing development projects, and assistance designed to stimulate and protect foreign investment in developing countries (Bedjaoui, 1979, pp. 155–160).

a. Sources (Foundations) of International Development Law:

International development law was established on the basis of the idea of human solidarity; according to this idea, economic progress should prevail throughout the world and should not be confined to developed States alone—an objective that international development law ought to pursue (Schrijver, 1997, pp. 367–373).

Reference can also be made to the legal basis of this body of law, notably: • **Article 31** of the Charter of Economic Rights and Duties of States, adopted on 12 December 1974, which provides that: “All States should share in the prosperity and progress of the world economy, bearing in

mind the close interrelationship between the economic well-being of States and the development of developing countries”.

- **Article 56** of Chapter IX of the Charter of the United Nations, whereby all Members pledge to take joint and separate action in cooperation with the United Nations for the achievement of the purposes set forth in Article 55.
- **Article 60**, which assigns to the UN General Assembly and the Economic and Social Council responsibility for promoting the purposes of the United Nations.

b. Rationales for Emergence:

International development law emerged to confront and regulate development-related issues that primarily concern newly independent developing States. In the early 1960s, the international community became able to focus on development after decolonization had been largely completed. It became necessary for a set of international legal rules specifically devoted to development to emerge alongside the traditional rules of international law relating to international peace and security (Ikejiaku, 2014, pp. 131–163). These new rules were intended to serve the poor and to make general international law a law that seeks to realize economic justice in relations between rich and poor States; such rules came to be designated as “international development law.” It may therefore be said that international development law arose in response to an international context marked by the independence of Third World States and their developmental needs, coupled with the unwillingness of major former colonial powers to provide assistance to those States to develop their economies; on the contrary, such powers sought the continuation of exploitation and the depletion of their resources (Dann, 2023, pp. 35–60).

Characteristics of International Development Law:

International development law is characterized by a set of features that distinguish it from traditional branches of international law, whether in terms of its normative premises or the nature of its rules and mechanisms. It is a body of law with a pronounced value-laden dimension, born in the context of structural distortions in the international economic order and in response to developing countries’ demands to reorganize international economic relations on more just and equitable foundations (UNGA, 1986).

a. The solidarity-based character of international development law

International development law is grounded in the principle of human solidarity, which posits that development is not a purely domestic matter, but rather a collective responsibility of the international community, as a shared interest whose effects are not confined to any one State. Accordingly, international cooperation is not merely a political option; it acquires a legal and normative character that transcends contingent political considerations. This is reflected in the obligations incumbent upon developed States toward developing States, particularly in the areas of assistance, technology transfer, and capacity-building—thus requiring cooperation to generalize economic progress and reduce development gaps between North and South.

b. Structural asymmetry and preferential (positive) treatment in favour of developing countries

International development law is characterized by a purposive and functionally “inclined” orientation in favour of developing countries, insofar as it rests on acknowledging the structural asymmetry embedded in international economic relations and the resulting deep disparity in economic and technological capabilities among States. It is, in this sense, a legal project conceived by Third World States and consequently often resisted by industrialized States. In contrast to traditional international law’s conservative tendency to entrench the status quo, international development law seeks to effect a structural transformation of the international economic system by embracing the principle of special and preferential treatment (i.e., positive differentiation) in favour of developing countries. This orientation is operationalized through flexible legal standards and regulatory exceptions designed to restore a measure of balance and justice in international

economic relations, rendering unequal legal treatment a legitimate corrective instrument rather than a violation of formal equality among States (Schrijver, 1997, pp. 258–266).

c. The multi-dimensional character of development

A further salient characteristic is the composite and multi-dimensional nature of this body of law: it does not confine itself to regulating the economic aspects of development, but extends to social, human, environmental, and cultural dimensions. This renders it intersecting with the human rights system, especially the Right to Development, and grants it an inclusive nature that transcends a narrow commercial or financial logic (Cullet, 1999, p. 550).

d. Weak legal binding force (soft law)

International development law is marked by a relative weakness in legal bindingness. Many of its rules rely on non-binding instruments such as declarations, recommendations, and programmes of action, reflecting developed States' reluctance to accept strict legal obligations in this domain. Nevertheless, this "soft" character does not negate the cumulative normative effect of these rules in shaping international conduct.

e. An evolutionary and dynamic character

International development law exhibits a dynamic and evolutionary character: it is neither fixed in content nor rigid in application. It is shaped by global economic and political transformations and adapts to shifting development priorities at the international level. A field that initially focused on promoting economic growth and productivity has increasingly come to embrace broader concepts such as human development, sustainable development, and inclusive development that takes into account the social, environmental, and cultural dimensions of the human being. This evolutionary character reflects international development law's capacity to accommodate twenty-first-century challenges, ensuring continuity in its function of orienting international policies toward economic and social justice, and making it an open domain for continuous re-articulation and interpretation (Schrijver, 1997).

The United Nations' Strategy for the Institutionalization of the Right to Development

The Right to Development constitutes one of the central concepts in contemporary international law, insofar as it reflects the international community's commitment to ensuring an equitable distribution of economic and social opportunities among States and peoples. This right emerged as a response to structural crises within the international system and to the deep disparities between developed and developing countries in economic and technological capacity and in institutional infrastructure. In this context, the United Nations has adopted multiple strategies aimed at entrenching the Right to Development through the establishment of normative frameworks, policy coordination, support for development programmes, and the ensuring of participation by all relevant international actors in the formulation and implementation of development policies. These strategies embody an integrated vision of development that is not confined to economic growth alone, but rather encompasses human, social, cultural, and environmental dimensions, thereby ensuring the inclusiveness of the developmental process and its capacity to enhance human capabilities and enable meaningful participation in shaping one's future. They also underscore the dialectical relationship between international law, development policies, and economic justice, positioning the United Nations as a pivotal actor in the articulation of the architecture of international development law and in translating it into practice (Bedjaoui, 1979, pp. 82–86).

The United Nations' Response to Development Challenges in the Third World

Since the founding conferences of the United Nations and its specialized agencies, certain States—foremost among them Egypt and India—raised their voices to draw attention to the deterioration of basic infrastructure in many countries and their deprivation of essential needs. These States called upon international organizations, especially the United Nations, to allocate a portion of their efforts and resources to addressing such problems. However, the prevailing structure of power relations did not allow these

voices to be effectively heard, nor did it enable them to mobilize the will of colonial States, which bore part of the responsibility for the underdevelopment of those countries (Helleiner, 2002, pp. 12–18).

At that stage, most Third World States were still suffering from the legacies of direct or indirect colonialism, which constrained their capacity for meaningful participation in the international system. Conversely, the States of the socialist bloc did not believe that international organizations could play any substantive developmental role; they refused to join specialized economic agencies, viewing them—within the Cold War context—as imperial instruments designed to reproduce the economic and political domination of developed States. Their principal strategy was thus limited to placing their economic and social problems on the United Nations' table so that they might be discussed within a comprehensive global framework.

Nevertheless, this situation began to change gradually under the pressure of a set of factors:

- escalating international pressure to strengthen economic cooperation and development in the Third World;

- the emergence of a more advanced vision within the United Nations that regarded international institutions as effective mechanisms for consolidating the Right to Development and advancing global economic justice;

- the gradual independence of former colonies and their accession to UN membership; and
- the growing awareness of relations of economic dependency.

Three principal phases may be distinguished, during which the demands of Third World States diverged and their understanding of the role the United Nations ought to play in the economic and social spheres evolved. This transformation was accompanied by a marked variation in the patterns of the UN system's responses to those demands, both in terms of the substantive policies adopted and the institutional instruments and mechanisms deployed to address development issues (Weiss, 2009, pp. 110–115):

a. The first phase: the quest for aid

This phase extends from the establishment of the United Nations until approximately the mid-1960s. During it, Third World demands centred on the necessity for the UN to direct part of its programmes and resources toward supporting development efforts in Third World countries. The United States' provision of financial assistance to Western Europe outside the UN framework through the Marshall Plan served as an impetus for the UN to accommodate Third World demands, at least partially. Yet this phase was marked by several obstacles, including the intensification of developing countries' problems and the expansion of their demands as new States joined the UN—particularly the attempts by the former Soviet Union and the United States to instrumentalize these States as “fuel” for the Cold War.

A number of programmes launched by the UN during this phase may be mentioned, including: the Technical Assistance Programme pursuant to General Assembly Resolution 200/3 (1948) funded from the UN regular budget; the Expanded Programme of Technical Assistance (initiated by the United States); the Special Fund, created in response to the acute need for a broader and more comprehensive instrument capable of financing genuine development projects in developing countries; and the United Nations Development Programme (UNDP), established in 1965 through the merger of the Expanded Programme of Technical Assistance and the Special Fund, after it became apparent that two programmes engaging in similar and overlapping activities led to duplication of efforts and dissipation of resources (UNCTAD, 2014). The UNDP itself subsequently underwent several attempts at reform to develop and improve its performance. It is considered one of the largest multilateral aid programmes directed to developing countries; moreover, it does not fully finance the projects in which it participates, but rather encourages developing countries themselves to invest in development (Schrijver, 2006, pp. 30–34).

b. The second phase: the quest for a new international economic order

This phase spans 1964–1980. It coincided with the emergence of certain economic schools of thought, notably Raúl Prebisch's analysis of the deterioration of the terms of trade in favour of manufactured products at the expense of primary commodities—and thus in favour of developed countries at the expense of developing countries. This produced a conviction among developing countries that altering relations of dependency constituted a necessary condition for economic take-off, and that aid would yield no benefit so long as dependency relations remained unchanged; indeed, it could deepen them. Developing countries therefore began to exert pressure to examine problems of international trade with a view to devising solutions to overcome obstacles preventing them from obtaining a reasonable return from export revenues—particularly from primary products—sufficient to finance the development inputs that had to be imported from abroad. Among the outcomes of this phase was the preferential treatment endorsed within the UN system in favour of developing countries' products, which introduced a degree of balance into North–South relations. Yet this momentum soon dissipated due to multiple factors, which in turn affected the UN's engagement with development issues in the Third World (Hanhimäki, 2015, p. 95).

c. The third phase: the retreat of the Third World (post-1980)

Among the consequences of the oil shock and the 1973 war—which cast long shadows over North–South relations—especially after the onset of energy rationalization policies pursued by Northern countries, the role of the Third World was curtailed and it was increasingly marginalized on the global stage. Consequently, declarations, charters, and programmes concerning the establishment of a new international economic order remained largely legal or diplomatic frameworks devoid of effective operational capacity and practical impact on the ground. This phase witnessed an even deeper marginalization of the Third World (UNGA, 1986).

Raising the Development Issue and Placing it on the General Assembly Agenda

The Charter of the United Nations addressed development issues from the outset, regarding them as one of its principal objectives—something made evident in the Charter's Preamble, wherein the founders express their determination to employ international machinery to promote the economic and social advancement of all peoples. Article 55 of the Charter further provides, in essence, that, with a view to creating conditions of stability and well-being necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- higher standards of living and the conditions of economic and social progress and development; and
- solutions to international economic and social problems.

The UN Charter also established a linkage between international security and global poverty. The UN's founders believed that the Second World War was a product of the Great Depression that struck the world in the 1930s; in other words, economic upheaval transformed into political upheaval, which in turn paved the way for the rise of Nazism in Germany. One of the UN's pivotal objectives was therefore to prevent any comparable economic disruption and its attendant political ramifications. The founders—at least some of them—hoped to avert economic collapse, war, and revolution through a measure of social-democratic reform and political coordination among governments. However, while the UN Charter spoke of raising living standards and creating conditions for economic and social progress and development, there was no agreement on the modalities by which these objectives should be realized. In the immediate post-war years, the principal agenda item was the recovery of Western Europe and Japan; in the 1950s and 1960s, decolonization and the emergence of what came to be called the Third World shifted attention toward problems of global inequality. Although international relations were structured by the East–West conflict, the enduring North–South divide cast a persistent shadow over UN efforts to reshape the global economy. This remained the case until the General Assembly adopted the Millennium Development Goals in September 2000, at which point the UN's essential mission became improving the world through, inter alia,

eradicating poverty and hunger, expanding education globally, empowering women, and reducing child mortality—thus shifting the UN agenda from reconstruction to development.

The first major document in this regard is General Assembly Resolution 1514 of 14 February 1960, entitled “Declaration on the Granting of Independence to Colonial Countries and Peoples.” Its first operative clause affirms that the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights—implying that among these rights is the right to development. Although this right is political in character, it was translated into a binding legal instrument through the International Covenant on Economic, Social and Cultural Rights of 16 November 1966, whose Article 1 provides that all peoples have the right of self-determination and are, by virtue of that right, free to determine their political status and to pursue their economic, social, and cultural development.

The forty-first session of the UN General Assembly also adopted a set of resolutions establishing every State’s right to development and the necessity of providing assistance. Among these is the Declaration on the Right to Development, adopted by the General Assembly on 4 December 1986 (Resolution 41/133), which constituted an advanced text in defining development, its requirements, and its components, representing a significant step toward embracing a sustainable conception of human development. The Declaration stipulates that development is a comprehensive economic, social, cultural, and political process aimed at the constant improvement of the well-being of the entire population and of all individuals, and that it is based on the active, free, and meaningful participation of all individuals in development and on the fair distribution of the benefits resulting therefrom. It further affirms that the human person is the central subject of the development process and should be the active participant and principal beneficiary of development, and that creating conditions favourable to the development of peoples and individuals is the primary responsibility of governments. It also recognizes that global efforts to develop and strengthen commitment to human rights and to promote and protect them must be matched by similar efforts to establish a new international economic order. What distinguishes this Declaration is its emphasis on the Right to Development as being at the core of human rights, and its insistence on the interdependence of economic, social, cultural, and political rights. It also stresses peoples’ right to self-determination, the rejection of colonialism and racial discrimination, the strengthening of popular representation, and the responsibility of governments to secure the prerequisites of development and meet citizens’ basic needs (Lebanese Civil Society, 2002, pp. 10–16).

General Assembly Resolution 41-182 of 8 December 1986 further affirmed each country’s right to determine its objectives and to strive to implement its development plans, while acknowledging the responsibility of the international community—especially developed countries—to act and to promote the creation of a just international economic environment that supports the development of developing countries (UNGA, 1986).

During the 1990s and at the beginning of the twenty-first century, the United Nations also sought to articulate a new strategy for economic and social development. In his address to the General Assembly on 3 December 1991 on the occasion of his election as Secretary-General, Boutros Boutros-Ghali outlined his strategy and the organization’s new orientation, structured around three pillars (UNDPI, 2008, p. 70):

- peace, given the need to establish effective preventive diplomacy;
- development, given the need to bridge the widening gap between rich and poor countries; and
- democracy, insofar as democratic governance should be adopted within Member States and within States more generally.

In this framework, interest in governance became increasingly intertwined with interest in development. The UNDP considered governance and development as inseparable correlates: development cannot be achieved in the absence of good governance, and governance cannot be considered good unless it ensures sustained development and places human beings at its centre.

The Millennium Development Goals and International Development Law

At the Millennium Summit in 2000, UN Member States agreed on eight goals—the Millennium Development Goals (MDGs)—which called for national action and international cooperation to ensure access to food, education, health care, and economic opportunities for children, women, and men everywhere. Establishing a global partnership for development constituted the eighth goal, aimed at addressing the special needs of the least developed countries, landlocked countries, and small island developing States; comprehensively tackling developing countries' debt problems through national and international measures to make their debts sustainable in the long term; and ensuring that developing countries benefit from new technologies—especially information and communications technologies—in cooperation with the private sector. Former Secretary-General Kofi Annan proposed specific measures that wealthy States should take, including:

- granting goods produced in the poorest countries free access to their markets;
- cancelling external debt;
- providing more generous development assistance; and
- working with pharmaceutical companies to develop an effective and affordable vaccine against HIV/AIDS.

It may be observed from the foregoing that the programmes launched by the United Nations are, in terms of their foundations and stated objectives, aligned with the rules of international development law; nevertheless, what has been accomplished remains far below what Third World peoples had hoped to achieve (Cox, 1981, pp. 126–155).

The International Environment and the Actors Shaping Development Programmes

The international environment encompasses a set of actors and determinants that influence the development programmes supervised by the United Nations—through economic and geopolitical interactions—in steering development objectives and policies, and in shaping the design and implementation of development interventions. This is particularly so given that the United Nations' effectiveness in the development domain is profoundly affected by the international balance of power and by the institutional dominance of developed States and global financial institutions, notwithstanding the Organization's efforts to entrench the principles of justice and sustainable development (United Nations [UN], 2015).

The Impact of Structural Asymmetry in the International System on Development Programmes

International development programmes operate within an asymmetrical international environment. Although such programmes are anchored in advanced legal and human-rights-based reference frameworks, their effectiveness is nevertheless conditioned by the dynamics of the international system's structure, which constrains their ability to fully comply with the rules of international development law. Every development programme—regardless of its technical sophistication or the nobility of its objectives—emerges and evolves within an international system marked by sharp disparities in centres of power. This disparity does not remain confined to the political or military sphere; rather, it quietly permeates development trajectories, determining priorities, calibrating tempo, and at times reconfiguring the very ends of development.

The global system is not a neutral arena for regulating interactions; it is a structure that reflects an unequal distribution of political and economic power. As the literature on international political economy demonstrates, this structural asymmetry is directly reflected in the definition of development priorities and in determining who possesses the capacity to impose a particular development agenda as a purportedly universal benchmark.

Moreover, the liberal international order—despite its discourse of inclusiveness and cooperation—often functions in practice to reproduce disparities between the core and the periphery, such that the “rules of the game” of development are formulated in ways that align with the interests of hegemonic powers rather than the objective needs of developing countries. In this sense, development programmes are not autonomous responses to developmental requirements as much as they are the product of an unequal interaction within an international structure that enables some actors to set standards while relegating others to a position of adaptation and compliance.

Although UN development programmes are grounded in clear legal and rights-based reference frameworks—most notably the Declaration on the Right to Development and the 2030 Agenda for Sustainable Development, which emphasize human centrality, equality, and shared responsibility—these frameworks encounter, at the level of implementation, political and financial constraints that stem from the nature of the international system itself. Heavy reliance on voluntary funding from donor States grants donors an indirect capacity to shape orientations and priorities, generating a tangible gap between normative discourse and operational practice. In this context, the United Nations becomes an institutional actor operating within a constrained margin of manoeuvre, compelled to reconcile compliance with the rules of international development law with the imperatives of continuity and financing in an international environment characterized by conflicting interests.

A critical reading of international development programmes further suggests that structural asymmetry is not confined to design or financing; it extends to the political function of development itself. In many instances, development is transformed into a mechanism for managing dependency rather than dismantling it, as standardized reform templates are imposed that narrow domestic policy space and tie developmental progress to integration into the logic of global markets under unequal conditions. Accordingly, the capacity of development programmes to generate genuine transformation remains contingent upon deeper reform in the structure of the international system, rather than upon merely improving implementation tools within the existing framework (Anghie, 2005, pp. 143–145; see also Chimni, 2006).

Conflicting Premises among International Actors and the Divergence of their Roles in Shaping and Directing International Development Policies and Programmes

Development policies and programmes are no longer formulated within an international framework dominated solely by the nation-state; they have become the product of a complex interaction among multiple actors that differ in nature, premises, and objectives. Major powers tend to view development as an instrument within broader strategies of influence management and stability governance, whereas developing countries seek to deploy it as a means of strengthening national capacities and narrowing development gaps. International financial institutions, by contrast, often approach development from an economic-technocratic perspective centred on efficiency and financial sustainability, frequently detached from local political and social contexts. This divergence in premises does not merely produce differences in outlook; it generates a form of structural tension in defining the very objectives of development and risks emptying the concept of its universal character in favour of selective approaches subordinated to power configurations (Mosley et al., 1995, pp. 282–284; see also Alston, 2005).

The conflict among international actors becomes even more visible when moving from normative formulation to practical implementation. Donor States possess direct instruments of influence through control over funding, conferring an unequal capacity to shape programme priorities and conditions of execution. The United Nations, in turn, finds itself in the position of an institutional intermediary attempting to reconcile legal reference frameworks grounded in inclusiveness and justice with political and financial pressures exerted by stronger actors within the international system. As for international non-governmental organizations, despite their growing role in project implementation, their presence is not devoid of concerns related to representation and accountability, which may render them, at times, part of the dynamics that reproduce structural imbalance rather than transcend it.

The conflict of premises and divergence of roles among international actors weakens the internal coherence of development policies and raises serious questions regarding their legitimacy and long-term effectiveness.

When programmes are formulated through politically and economically unequal bargaining processes, development shifts from a transformative project to an administrative process aimed at managing crises and vulnerability. This reality deepens the gap between the rights-based discourse of development and actual practices, and limits developing countries' capacity to craft autonomous development policies that reflect national priorities. In this sense, the failure of certain development programmes is not merely the result of technical weakness, but rather an expression of a structural dysfunction generated by conflicting actors within an unbalanced international system (Barnett & Finnemore, 2004, pp. 122–125).

The Political and Economic Dimensions of Implementing UN Development Programmes and Compliance with the Rules of International Development Law

The implementation of UN development programmes is directly shaped by the international political environment within which they operate—an environment characterized by pronounced disparities in power and influence among States. Geopolitical conflicts, competing strategic priorities, and divisions within the international system over security and development issues all limit the capacity of development programmes to adhere strictly to the rules of international development law. In this context, programmes are not always implemented according to objective criteria grounded in developmental need; rather, they often become subject to considerations of political stability, crisis-management imperatives, and the equilibria of international relations. This reality renders legal compliance more a matter of negotiation than of strict legal obligation, as legal principles are reinterpreted in ways consistent with prevailing political contexts (Stiglitz, 2002, p. 16; see also Mosley et al., 1995, pp. 287–288).

Financing constitutes one of the most influential determinants shaping the implementation of UN development programmes, given their heavy reliance on voluntary contributions from donor States and international financial institutions. This mode of financing produces an asymmetrical relationship between funder and implementer, granting donors a substantive capacity to influence programme priorities, modalities of execution, and evaluative criteria. As a consequence, core principles of international development law—such as respect for national sovereignty or the alignment of programmes with local specificities—may be subordinated to requirements of economic efficiency or financial sustainability as defined by donor parties. Thus, legal compliance becomes conditioned by funding constraints rather than emanating from an autonomous binding legal obligation (Anghie, 2005, pp. 147–149; Chimni, 2006).

A comparison between the legal reference frameworks underpinning UN development programmes—such as the Declaration on the Right to Development and the 2030 Agenda—and actual implementation practices reveals a structural gap that is difficult to bridge under the prevailing international order. While legal texts emphasize the comprehensive and rights-based character of development, practice indicates that compliance with these rules is often selective and influenced by political and economic balances that transcend the legal framework itself. This contradiction has led a number of critical approaches to argue that international development law, despite its theoretical sophistication, lacks effective enforcement mechanisms within an international system governed by considerations of power and interest. Accordingly, limitations in compliance reflect not so much the weakness of UN programmes as the broader limits of international law itself within an asymmetrical international environment.

Conclusion

Through this study, we have examined the relationship between the United Nations as an international organization, international development law as the normative framework governing economic relations among States, and development as an overarching objective pursued by all States and peoples. Yet, despite the proliferation of legal texts and development programmes launched under the auspices of the United Nations, North–South relations continue to be dominated by the enduring logic of the advanced former colonial State vis-à-vis the newly independent Third World State. This perception is deeply entrenched not only among developed countries but also among developing countries, which have increasingly found themselves compelled to recalibrate their economies in accordance with their needs and endogenous capacities.

With the end of the Cold War, the international system underwent profound transformations in the understanding of development and its role within international relations. The focus shifted from humanitarian relief to comprehensive development programmes grounded in the principles of sustainability, equality, and good governance. The United Nations has consequently remained the principal forum in which States and institutions converge to coordinate development efforts through a broad constellation of programmes and organs, notably the United Nations Development Programme (UNDP) and the Economic and Social Council (ECOSOC).

However, the international environment within which the United Nations operates is complex, as political, economic, and geostrategic factors intersect in ways that render the implementation of development programmes contingent upon the degree of cooperation by major actors and upon the Organization's ability to preserve institutional autonomy from narrow national interests.

The study has demonstrated that international development law—despite its conceptual maturation and its entrenchment of foundational principles such as the Right to Development and shared responsibility—still lacks effective enforcement mechanisms within an asymmetrical international system. The United Nations, as a central institutional actor, operates within a constricted structural margin, bounded by funding modalities, power equilibria, and the pressures exerted by those international actors most capable of steering decision-making. In this sense, the limited compliance of development programmes with the rules of international development law does not reflect a mere technical deficiency or administrative shortcoming; rather, it reveals structural constraints imposed by the very nature of the prevailing international order.

The study further shows that the conflict of premises among international actors not only undermines the internal coherence of development policies, but also impinges upon their legitimacy—particularly in developing countries that are often required to comply with development approaches that do not necessarily reflect national priorities or social specificities. In certain contexts, this reality transforms development from a transformative project aimed at empowering States and peoples into an instrument for managing structural imbalance and dependency within a more regulated and “softer” framework.

Accordingly, any serious assessment of UN development programmes cannot be confined to measuring outputs or refining implementation tools; it demands a deeper interrogation of the structure of the international system within which these programmes operate, and of the position of international development law within an international order that privileges political and economic considerations over binding legal obligation. Reinstating development as a right rather than a policy instrument necessarily requires strengthening the binding character of legal norms, expanding the autonomy of international organizations, and rethinking the relationship between financing, sovereignty, and developmental justice.

In this vein, the present study is not advanced as an indictment of UN development programmes so much as it is offered as a call for a realistic and critical reading of their trajectories—one that acknowledges the limits of what is feasible under the current international system, while simultaneously keeping open the question of structural reform as an indispensable condition for transforming international development from a universal discourse into a just and effective practice.

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