

An HRCP fact-finding report

# UNEQUAL CLAIMS

LAND RIGHTS IN CHOLISTAN



Funded by the  
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## LAND RIGHTS IN CHOLISTAN

### AN HRCP FACT-FINDING REPORT



Human Rights Commission of Pakistan

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# Introduction

Cholistan is arguably one of Pakistan's most neglected and marginalized regions. In terms of size, it covers about 6.6 million acres and is spread over seven union councils (UCs) in three districts of South Punjab: Bahawalpur, Bahawalnagar and Rahim Yar Khan.<sup>1</sup> For locals, the region is divided into the populous Lesser Cholistan and sparsely populated Greater Cholistan, which includes the 'deep desert'. Largely comprising a desert area, Cholistan stretches over 450 kilometres in length, with a width ranging from 30 to 200 km. The 2017 census reported the human population of Cholistan to be 276,674, with Hindus being the largest religious minority group. Cholistan accounts for 13 percent of Pakistan's meat production and has an estimated livestock population of 1.38 million.<sup>2</sup>

The Human Rights Commission of Pakistan (HRCP) has consistently raised its voice for the rights of the Cholistani people. In its recent fact-finding mission report of South Punjab, several issues related to Cholistan were highlighted, including a major one about alleged irregularities in land allotments.<sup>3</sup> The report captured several testimonies from residents who expressed grievances about land distribution in Cholistan. In 2023, the residents of Cholistan decided to hold a protest to demand fair land distribution. However, the district administration refused to allow the protest.

Meanwhile, the Punjab caretaker government announced in February 2024 a new land scheme with about 26,000 Cholistanis as beneficiaries.<sup>4</sup> Where the scheme was considered a minor success, the relief was only incomplete and temporary

HRCP received reports reinforcing alleged irregularities in allotments of land and indicating that certain actors were manipulating local organizations to advance their vested interests in the region.

Considering the factors mentioned above, HRCP decided to conduct a fact-finding mission to Cholistan from 28 to 31 October 2024. The mission comprised Council member Sadia Bokhari, HRCP member and senior lawyer Asad Jamal, and staff members Faisal Tangwani and Salman Farrukh. The terms of reference for the mission were as follows:

- Document the implementation of land allotment schemes for indigenous Cholistanis and identify any irregularities and gaps, including any instances of faith-based discrimination in this context.
- Assess the role of state authorities in allotting land, including but not restricted to the Cholistan Development Authority and revenue officers.
- To assess the role of local rights-based movements engaged in advocating for indigenous people's land rights in Cholistan.

The mission visited different areas of district Bahawalpur, including Yazman and Channan Peer, as well as various small settlements in Greater Cholistan, each linked to a toba (a large natural or man-made pond used as the main source of water for the residents and their cattle).

The mission interacted with more than 30 respondents in focus group discussions (FGDs) and informal interviews at various locations in Cholistan. FGDs were organized with representatives of as many as five land rights-based organizations, including Cholistan Difah Council, Tehreek-e-Aghaz-e-Huqooq-e-Cholistan, Voice of Cholistan, Tehreek-e-Aghaz-Huqooq-e-Cholistan UC-75, and the Association of Regional Infrastructure Development. The mission met with members of civil society, numberdars

(village officers), lawyers, teachers, farmers, and workers. It also held a meeting with two officials of the Cholistan Development Authority (CDA). Mission members took notes on nearly all their interactions, which were compiled along with transcribed interviews where necessary. The mission also conducted a desk review of publicly available documents to verify and countercheck facts to accuracy.



# Challenges in land allotments

Over time, the provincial government introduced different types of land schemes in Cholistan under the Colonization of Government Lands (Punjab) Act 1912. The land schemes include the granting of proprietary rights (permanent) in state land, temporary cultivation leases, and corporate farming. This report, however, only focuses on the latter two, as the permanent proprietary rights are usually given only to those who have successfully cultivated the land under temporary cultivation leases.

## Temporary cultivation lease schemes

Through the course of meetings with stakeholders, the mission was briefed about the various abaadkar (land cultivation) schemes in Cholistan since 1947.<sup>5</sup> The primary purpose of these schemes has been to give state land to people of Cholistani origin for agriculture.<sup>6</sup> The latest scheme was announced in 2010, but balloting was not carried out until 2023.<sup>7</sup> Several respondents attributed this decade-long delay to the continually changing priorities of successive governments as well as frequent transfers and postings of senior CDA officials.<sup>8</sup>

As stated by several respondents and confirmed by the mission through the available record, about 26,000 out of the 53,000 applicant families were declared successful in the balloting held on 5 December 2023. Each successful applicant was to be given 12.5 acres of land in one of the three categories: (a) 50–100 percent cultivable, (b) up to 50 percent cultivable, and (c) 100 percent



barren—for five years on a standardized lease rate.<sup>10</sup> A few respondents from Bahawalpur explained that the categorization of the land was purely based on the availability of canal water. However, several respondents claimed that land with access to canal water was given to non-locals associated with state institutions or foreign investors for corporate farming. The balloting result on CDA's website suggests that more than 99 percent of successful applicants were allotted land from category C (barren land).<sup>11</sup>

Representatives of the land rights movements, as well as others that the mission met outside CDA's office, complained of not being issued the 'warrant dakhla' (allotment letters) despite being selected in the 2023 ballot. One respondent stated that around 7,000 out of 26,000 successful applicants had been given the warrant dakhla by the CDA. As per the 2013 notification by the Punjab government, the CDA's Director of Revenue and Colonies (DRC) is given vast powers as he must be 'personally satisfied' with the 'genuineness' of balloting proceedings before issuing the warrant dakhla.

Although the notification restricts him to a 15-day window to either approve or reject balloting, the language suggests that this is to be done on a case-to-case basis since 'each successful candidate' is to be given an opportunity of hearing if their application is rejected due to lack of genuineness of balloting. While it is in the interest of fairness that such an opportunity for a hearing is given, there is no timeframe for its conclusion, which may jeopardize the efficacious issuance of warrant dakhla to the successful applicant. In this context, more than one respondent alleged that not even a single allotment letter was issued by the CDA without asking for a bribe.

At least two respondents complained to the mission that the CDA officials refused to issue fee challans to submit their first-year lease rent, without which the warrant dakhla could not be issued. Another respondent alleged that the officials keep asking them to visit the CDA office in Bahawalpur, but nothing gets done despite the onerous and expensive journey from far-flung areas. Several respondents alleged that the CDA officials had told them their land

was taken over by ‘big brothers’ (ostensibly referring to the army); hence, they could not issue warrant dakhla.

Most of those who took possession of the land complained that it was barren and covered with sand dunes. In some cases, these dunes were as tall as 30 feet, requiring significant costs to flatten using heavy machinery—an expense many could not afford. They also claimed that even if the land was flattened, the groundwater quality was unsuitable for farming. This effectively rendered the allotted land of little value to the Cholistani people, except those with the resources to construct deep wells and expensive water irrigation systems.



*A mission member inspecting a manmade well containing debris*

That Cholistan is a water-scarce region became striking to the mission members during the site visits, where they were told how humans and their livestock shared the same water source. One respondent in Channan Peer told the mission that Cholistan has seen frequent droughts, which has rendered many of the tobas dry. The mission learnt through the respondents that the turbines installed for pumping water for drinking and irrigation remained

dysfunctional, which has badly affected the water supply to Cholistan, especially in the deep desert. One numberdar said that lack of water for drinking and irrigation was the root cause of poverty and hunger in Cholistan, leading to a larger moral crisis forcing the poor to steal and pilfer.

Some respondents from the Hindu community warned that, due to shrinking grazing land, they were being compelled to sell their livestock and take up work on farmlands under exploitative terms or at brick kilns as bonded labourers.

At least one respondent had an entirely optimistic view. He claimed that the government, with the crucial support of powerful state institutions, was already building several canals with billions of rupees of investment, which would also benefit the ordinary people of Cholistan along with the corporate farm owners.<sup>12</sup>

One respondent claimed that the hardship in irrigating the barren land was compelling Cholistani people to sublet the land to influential non-Cholistani landlords at nominal rates. It is important to mention here that this issue was brought before the Bahawalpur Bench of the Lahore High Court (LHC) in a writ petition in 2018. The LHC had held that subletting land to non-Cholistanis was a ‘serious question’ and directed the authorities to call the land record to determine if it had violated the statement of conditions of the land scheme in effect at that time. Some reported that the political and feudal elites were bringing people from outside Cholistan and populating the region with outsiders to consolidate their claim on the encroached land.

For many in Cholistan, the land allotted to them in the balloting was far from their homes—in some cases, up to 300 kilometres away. Several also complained about the lack of road infrastructure, making travel to their land difficult even if they could afford it. The CDA officials acknowledged before the mission that for many Cholistanis, allotment of land in far-flung areas was a source of concern. They stated that they proposed that the Board of Revenue authorize the CDA to allow the exchange of land between consenting parties.

It was brought to the mission's notice that women or transgender persons were excluded from the balloting process, and land allotments were made in the name of men. However, at least two respondents claimed that the only exceptions were widows with minor children. Although the eligibility criteria in the 2013 notification did not explicitly exclude women, the wording suggested it was intended for married men. One respondent even claimed that the CDA officials had now started demanding the *nikah nama* (marriage contract) from people to issue warrant *dakhal*.



The mission was informed about the difficulties in establishing one's Cholistani identity. As many as four documents were needed to qualify for the scheme: CNIC, entry in the latest voter's list, *tirni* (grazing tax) document along with family history of *tirni* before 1980, and a proof of residence in Cholistan. The CDA officials also admitted before the mission that at least 20,000 applications were rejected by the scrutiny committee mainly due to a lack of requisite documents.

One respondent explained that the numberdar usually issued the proof of residence. However, to bypass him, several non-Cholistani people had intentionally bought a small piece of land in Cholistan. Since NADRA accepted this as a valid proof of residence, they were issued CNICs with a Cholistani address as

temporary residence. It was further explained that as per election rules, one could register as a voter on a temporary address, and the *tirni* could be easily obtained—through illegal means—from the Punjab forestry department. He believed several outsiders were taking advantage of this irregularity to acquire land in Cholistan.

The mission noted a lack of standard procedures regarding data collection and reporting. As the CDA officials did not have disaggregated data on the successful applicants, the mission could not verify how many men, women, transgender persons, and minority group members were allotted land. One CDA official conceded to the mission members that he had to use his contacts with assistant commissioners to acquire the data related to the land schemes, suggesting that there was no formal mechanism for information sharing.

About residents being allotted land in far-flung areas, the CDA officials said that it was to avoid giving the option of ‘pick and choose’ to the applicants, which would have opened a floodgate of personal preferences. One CDA official pointed out the lack of land available near some villages. On the issue of transparency, another CDA official claimed that the process was highly transparent. He noted that several stakeholders—including the Election Commission of Pakistan, the Forestry Department, NADRA, and the Punjab Information Technology Board—were involved in the allotment process.

Additionally, the commissioner and grievance redressal committees entertained complaints against irregularities. The official maintained that since the CDA was primarily staffed with Cholistanis, their involvement was kept minimal in the allotment process to avoid conflict of interest. According to him, the CDA officials were naturally deterred from corruption as the National Accountability Bureau and the Anti-Corruption Establishment were very vigilant.

## Corporate farming

Cholistan has lately been the centre of attention for corporate farming. Unlike family farming, which is run by a family and primarily depends on family capital and labour, corporate farming is owned and financed by private or public entities that operate independently of family-based principles.<sup>14</sup>

The Pakistan Army directly entered the realm of corporate farming in February 2023 when it formally requested the Punjab Board of Revenue to identify and lease one million acres of land in Cholistan.<sup>15</sup> In this regard, one respondent in Yazman informed the mission that officials from powerful state institutions, along with the CDA, would often conduct surveys to identify cultivable land with fresh groundwater. Another respondent alleged that some CDA officials had been admonished by ‘big brothers’ for not cooperating with them enough to identify suitable land for corporate farming.

Through a joint venture management agreement (JVA) between the Government of Punjab and the Pakistan Army, signed in March 2023, the latter became a lessee of the former for 20 years (extendable by a further 10 years) on a profit-sharing basis. Under the agreement, a board of management was constituted and authorized to formulate land utilization policies and to ‘establish or engage [local or foreign] companies for running operations on a commercial basis’.<sup>16</sup>

The JVA was challenged before a single bench of the Lahore High Court in May 2023, which declared that the caretaker government lacked the constitutional and legal mandate to take any decision regarding corporate farming under the Elections Act 2017. The judgement declared the JVA unlawful and ordered the land transfer to be stopped immediately. However, in July 2023, the LHC set aside the single bench’s decision in an intra-court appeal filed by the federal and provincial governments and allowed land transfer to the Pakistan Army. Subsequently, the civil-military leadership launched the Green Initiative Pakistan under the patronage of the

Special Investment Facilitation Council which now largely oversees the development of Cholistan.<sup>18</sup>



Several respondents reported to the mission that they were systematically deprived of fertile land in Cholistan, alleging that as many as 45 villages were taken over by powerful state institutions for corporate farming. Some respondents in Yazman reported to the mission that officers of the armed forces and foreign investors were the only beneficiaries of this venture. The mission was told that up to PKR 20 million was required as a security deposit just to be considered eligible for corporate farming in the area. This indicated that it was for the wealthy and influential. One respondent in Channan Peer complained that corporate farming was destroying deer's natural habitat, and the deer were now only seen in hunting zones operated by foreigners in Cholistan.

The mission was told that charagahs (common grazing land) were also earmarked for corporate farming. Several residents voiced concerns about this and said it would directly affect their livelihood. Moreover, some respondents brought to the mission's notice that the forestry department officials harassed and threatened them for raising their voices against this. During



summers, livestock farmers were forced to take their animals for night grazing, putting them at risk of snake and dog bites.



## Mission's observations

There seemed to be a consensus among most respondents, especially those associated with rights-based movements and organizations, that Cholistan lacked true political representation in provincial and national legislatures. Overwhelmingly, the respondents were dissatisfied with the role played by the political leaders, with few exceptions, in voicing the concerns of Cholistan in power corridors. The mission observed that on repeated occasions, respondents talked of local politicians working in collusion with 'powerful institutions' against the wishes of the Cholistani people.

A consistent demand was made that Cholistan should be declared a district for efficient governance of the region. There were calls for the Cholistani people to be given a quota in government jobs similar to those provided to Rajanpur and Dera Ghazi Khan.<sup>19</sup>

The mission observed widespread poverty and a general lack of infrastructure in Cholistan, with no navigation support or landmarks along the roads, decreasing opportunities for frequent and safe travel and thereby adversely affecting the socioeconomic rights of indigenous people recognized under the Constitution and international law.<sup>20</sup> At least one testimony from a numberdar raised alarm that in some areas, travel, especially at night, was strictly regulated by the Rangers amid 'security' concerns. The mission observed that this may violate the right to mobility of the Cholistani people, and in emergencies, such restrictions may have

serious consequences for the residents.

Throughout the time spent in parts of Greater Cholistan, the mission members did not have access to the cellular network and internet as there was a complete lack of communication infrastructure in remote areas.

There was a genuine demand for reforms in the CDA by several respondents who did not appear to be satisfied with the performance of the key institution. Respondents were wary of the ability of CDA officials to fully understand the ordeals of the Cholistanis, who they believed had never even travelled the length and breadth of Cholistan. The mission heard the demand from a few respondents that more representation of indigenous Cholistanis was needed at the CDA, contrary to the official narrative that this was not done to avoid conflict of interest.

The mission gathered several testimonies of allegations of corruption involving CDA officials. Some alleged corrupt practices included bribes for issuing allotment letters, reluctance to convert the water turbines from diesel to solar, and siphoning money reserved for constructing water wells. At least one member of the Hindu community alleged the CDA officials of discriminatory behaviour towards the minority community.

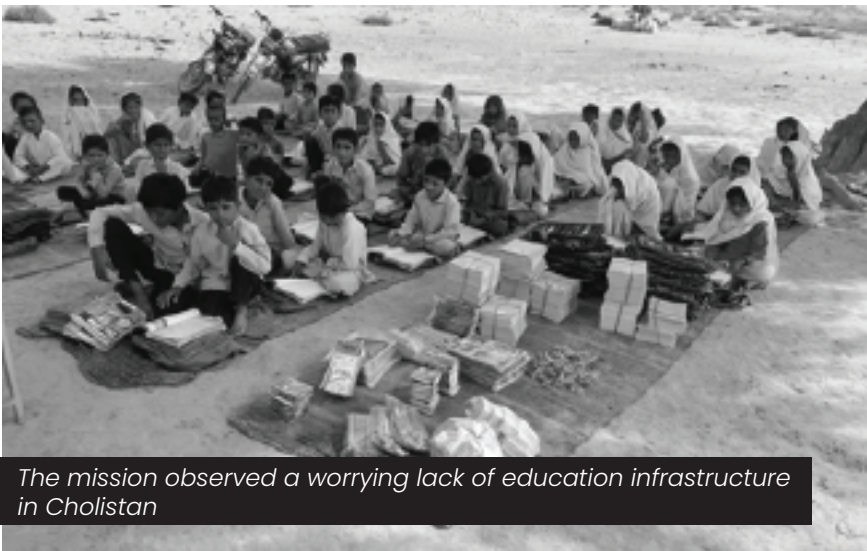
Another concern one respondent in Yazman showed was that the CDA's office was located in Bahawalpur and remained inaccessible for most residents due to logistical factors and the financial cost involved. They demanded that CDA suboffices be established in other parts of Cholistan to serve people effectively.

During different meetings, the mission noted serious allegations against powerful state institutions and their deep involvement in Cholistan. One of the most worrisome allegations was the abduction and illegal detention of a local rights activist who was forced to disassociate from the protest that was announced by Cholistani land rights activists in 2023. It was alleged that a senior official of a state agency threatened the activists with torture while offering them benefits if they cooperated with them. In another

instance, an activist reported that he was economically victimized for being part of the 2023 protest, the details of which are being withheld at his request for safety reasons.

One respondent shared distressing information and alleged that in the 1990s and early 2000s, state authorities would book as many as 500 people in a single first information report for demonstrations and protests for their rights. There were allegedly instances of illegal detention of Cholistani women for as many as 10 days to put pressure on the protestors. Some respondents lamented that they were considered ‘Indian agents’ by state authorities.

Several community representatives demanded the total autonomy of the CDA under the Cholistan Development Authority Act 1976. Several respondents told the mission that the CDA has been run by the Revenue Department ever since its first meeting in the 1980s. A resident told the mission that attempts have been thwarted to amend the CDA Act to provide complete administrative autonomy to CDA. For some respondents, this issue lay at the heart of all the problems of the Cholistani people.



Furthermore, the mission observed a whole range of other pressing issues faced by Cholistani people, such as the lack of basic health facilities, especially for women. There was a clear lack of proper educational infrastructure, as schools operated in the challenging weather conditions of the desert with inadequate facilities.

Regarding the role of local rights-based movements in advocating for indigenous people's land rights in Cholistan, the mission was informed that various local organizations were connected in some way for joint action. However, at the same time, there were rifts between representatives of some rights-based organizations, each alleging the other of connivance with state institutions for pursuing personal interests. There were claims and counterclaims of illegal occupation of land by prominent members of these organizations with the support of different state institutions and political figures.

# Recommendations

Based on its findings, the mission makes the following recommendations:

## The CDA must

- Immediately issue allotment letters to the successful applicants of 2023 balloting, remove all bureaucratic hurdles and ensure possession and full control of land by the rightful lessees, and address the concerns of beneficiaries of various land schemes and facilitate all Cholistani people within their due mandate. They must curb corrupt practices in the institution through effective and timely inquiry mechanisms and guarantee a more transparent and robust grievance mechanism for the complainants.
- Develop adequate water supply schemes and construct appropriate water storage facilities for people and their livestock.
- Ensure that ample grazing land is reserved for livestock and that the natural habitats of animals, such as deer, are conserved and not adversely impacted by corporate farming.
- Establish CDA suboffices at appropriate locations so that administrative services are available to the locals at their doorstep.

### The Punjab Assembly must

- Review the Cholistan Development Act 1976 and make appropriate amendments to ensure that the CDA operates as an autonomous body, free from political and other influences.
- Undertake a review of the Land Colonization Act 1912 and amend it where necessary to ensure more transparent and efficient use of state land in the public interest.
- Consider the demand for making Cholistan a separate district by consolidating areas under the jurisdiction of the Cholistan Development Authority.

### The federal government must

- Address the alleged illegal land occupation by state institutions, irrespective of the power and influence, and ensure that all law enforcement agencies and justice sector institutions are free to act as per law.
- Ensure that all intimidating and coercive tactics allegedly used by the state institutions under its control must end.

### The Punjab government must

- Amend the statement of conditions of all future land schemes to incorporate a gender-sensitive approach at the policy level, ensuring that women, transgender persons, persons with disabilities, and members of religious minorities are not discriminated against in any way whatsoever.
- Consider allowing the voluntary exchange of land among beneficiaries of the temporary land scheme, subject to necessary safeguards to ensure transparency and fairness.
- Increase resource allocation for the development of



Cholistan with a special focus on health, education, road, and communications infrastructure.

- Avoid unnecessary changes, disruptions, and arbitrary transfer of CDA officials to ensure the continuation of policies.
- Make information about the land allotment public in the interest of transparency and fairness.
- Ensure that corporate farming in Cholistan does not lead to any form of underdevelopment or harm to the land rights of indigenous people.
- Engage in dialogue with the Sindh government and other stakeholders to ensure adequate provision of water to the residents of Cholistan, irrespective of class, religion, and social status.
- Ensure that law enforcement agencies do not harass people from exercising their right to freedom of assembly and that district administration facilitates the local people in exercising such rights.
- Ensure that Cholistani people are free to form and be part of associations for, among other things, protecting their land rights.

## Endnotes

1. See <https://cdabwp.punjab.gov.pk/overview>
2. M. Imran et al. (2023). Water: The lifeline of Cholistan desert (p. 16, 11). Pakistan Council of Research in Water Resources.
3. Human Rights Commission of Pakistan. (2022). South Punjab: Excluded, exploited. An HRCP fact-finding report.
4. Cholistanis to receive land allotment orders. (2024, February 6). Dawn. <https://www.dawn.com/news/1811465>
5. The first land scheme was introduced in 1950. See M. M. Sher. (2019). Sustainability of subsistence livelihood at risk: A study of agro-pastoralists in Cholistan Desert – Pakistan [Unpublished doctoral dissertation]. University of Peshawar.
6. Section 10 of the Colonization of Government Lands (Punjab) Act 1912 allows the Board of Revenue, subject to the general approval of the government, to allot land to ‘any person on such conditions as it thinks fit.’ See <http://punjablaws.gov.pk/laws/22.html>
7. The 2010 notification (no. 3310-2010/1867) was amended in 2013 (notification no. 549-2013/239) and 2019 (notification no. 2109-2019/756). See [https://cdabwp.punjab.gov.pk/system/files?file=Notification-5-03-2013\\_.pdf](https://cdabwp.punjab.gov.pk/system/files?file=Notification-5-03-2013_.pdf) and [https://cdabwp.punjab.gov.pk/system/files?file=Notification%20-13-9-2019\\_.pdf](https://cdabwp.punjab.gov.pk/system/files?file=Notification%20-13-9-2019_.pdf)
8. Clause 20 of the 2013 notification gives power to the Board of Revenue and CDA’s Director of Revenue and Colonies to ‘stop, postpone, cancel or declare’ the balloting as ‘null and void’, and that too at ‘any stage’.
9. According to the data on CDA’s website, a total of 26,132 people stood successful in the balloting against a total of 52,999 applicants who were found to be eligible as per criteria. <https://cdabwp.punjab.gov.pk/downloads>
10. For details, see clause 1 of the 2013 notification.

11. See <https://cdabwp.punjab.gov.pk/downloads>
12. The mission remains aware that the Sindh government has repeatedly expressed serious concerns over these projects.
13. Sana Ullah vs. Government of Punjab etc (WP 5385/2018).
14. <https://www.fao.org/world-agriculture-watch/tools-and-methodologies/definitions-and-operational-perspectives/family-farms/en/>
15. For details, see Public Interest Law Association of Pakistan vs. Federation of Pakistan and Others (WP 20906/2023).
16. Ibid.
17. LHC suspends order to stop Punjab land transfer to army. (2023, July 18). Dawn.
18. M. Rizvi. (2024, March 25). Green Pakistan. Khaleej Times.
19. Such a demand was also made by the CDA's managing director in 2015. See <https://tribune.com.pk/story/944087/employment-job-quota-recommended-for-cholistanis>
20. Declaration on the Right to Development. <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-development>