

The procedural dimension of the collective right to development, proclaimed as a universal entitlement to participate in and benefit from development, has too often been neglected. Without mechanisms to operationalise this right - especially for resource-rich but marginalised communities - it risks remaining aspirational. Historically, states have resisted such operationalisation, allowing elites to monopolise mineral revenues and negotiate opaque deals with foreign extractive interests. Reclaiming the right to development thus requires reframing it as both substantive and collective, anchored in participatory governance within critical mineral governance.

Despite the centrality of participatory governance to equitable development, it remains surprisingly underdeveloped in right to development discourse- both conceptually and institutionally. Where participatory mechanisms are discussed, they are typically framed within environmental governance or corporate practice, most notably through stakeholder engagement models such as the social license to operate and participatory design. While the latter represents a more promising, co-creative approach, these frameworks often default to procedural formalism: narrowly structured consultations that legitimise pre-set outcomes rather than enabling communities to shape development agendas. This disconnect reflects a missed opportunity. If grounded in a development rights framework, stakeholder engagement could evolve beyond compliance - becoming a substantive institutional mechanism to realise development as collective, just and participatory.

To enrich stakeholder engagement frameworks and embed them more substantively in critical mineral governance, this paper proposes the integration of interest-based negotiation techniques. These include stakeholder mapping to reveal asymmetries, structured dialogue to elicit plural needs and priorities and joint problem framing to generate development-compatible options. Such tools move beyond formalistic consultation by institutionalising more inclusive and dialogical forms of decision-making. When embedded early and iteratively, these techniques can help translate the right to development into practice - ensuring that participatory governance reflects both local realities and broader collective interests in the sustainable and equitable management of critical minerals mining.