

UNITED NATIONS
Centre for Human Rights

Global Consultation on the Realization of the
Right to Development as a Human

Geneva, 8-12 January 1990

DISARMAMENT AND THE RIGHT TO DEVELOPMENT
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The issue of the right to development was raised in politics at the time when the process of decolonization introduced a large number of young states, former colonial possessions, into the international arena. After gaining independence, they came up against the formidable and ever-growing problem of development.

This problem was discussed at the very first meeting of former colonial countries in Bandung (1955). At the suggestion of Jawaharlal Nehru, Ahmed Soekarno, and others, the matter was given priority, and the first chapter of the meeting's final communique was dedicated to this question. It started with the words: "The Asian-African Conference recognized the urgency of promoting economic development in the Asian-African region."² The communique gave a general outline of future cooperation in the economic, trade and financial spheres, and outlined many tasks that were later taken up by the United Nations and the Non-Aligned Movement on a broad scale. Many of these tasks had to do with worldwide development-related problems, for instance, the creation of the Special United Nations Fund for Economic Development and the issue of the peaceful use of nuclear energy.

At that time, the newly-free states had not yet established a direct link between development and disarmament. Nonetheless, the disarmament problem was discussed in Bandung from the point of view of its being the most important pre-condition for peace. The appeal for nuclear disarmament, which has now become such a vital issue, was voiced by the developing countries way back then. The final communique of the Bandung meeting directed "the attention of all nations to the terrible consequences that would follow if such a (thermonuclear) war were to break out."

"The Conference," the communique continued, "considered that disarmament and the prohibition of the production, experimentation and use of nuclear and thermonuclear weapons of war are imperative to save mankind and civilisation from the fear and prospect of wholesale destruction. . . ."

"The conference considered that effective international control should be established and maintained to implement such disarmament and prohibition"³ Pending the establishment of such control, it was proposed that the powers concerned should stop nuclear tests. This was in 1955.

The participants in the conference, having proclaimed what have come to be known as the ten Bandung principles, proposed them as a basis of cooperation among those countries seeking to "bring about the common prosperity and well-being of all"⁴ through disarmament-enhanced security.

The problems of development and disarmament received even more attention at the next conference of newly-free countries--the First Conference of Heads of State or Government of Non-Aligned Countries,

held in Belgrade in 1961, which laid down the organisational structure of NAM.

The participants agreed "that disarmament is an imperative need and the most urgent task of mankind" and came forth with a number of concrete proposals, including organisational initiatives, such as "the convening either of a special session of the General Assembly of the United Nations devoted to discussion of disarmament . . . or a world disarmament conference under the auspices of the UN," the establishment of an international agency with a view to promote international cooperation in the peaceful uses of outer space, and the signing of a treaty banning nuclear tests.

The participants urged "the Great Powers to sign without further delay a treaty for general and complete disarmament in order to save mankind from the scourge of war and to release energy and resources now being spent on armaments for the peaceful economic and social development of all mankind."⁵ Essentially, this became the first collective declaration on the relationship between disarmament and development. The Belgrade Declaration said: "The participants in the Conference consider that efforts should be made to remove economic imbalances inherited from colonialism and imperialism . . . (and) recommend the immediate establishment and operation of a United Nations Capital Development Fund."⁶

Such an urgent and insistent policy created a new sphere of international legal doctrine in the mid-1960s. The French even went so far⁷ as to coin the term *droit international du developpement* ("international development law"). French scholars were also the first to write studies and even textbooks on this branch of international law.⁸

As the problem of development gained in significance, there appeared a need for international conferences not only of economists and political scientists, but also of international lawyers. Such meetings started in the 1970s.⁹

At that time, detailed studies of the legal aspects of development problems began to appear written by scholars from the newly-free countries, among them, Mohamed Bennouna of Morocco, Madjid Benchika and Mohamamed Bedjaoui of Algeria.¹⁰

Within this "international development law," the right to development gradually crystallized and emerged as a main and special provision.

As history had it, however, the transformation of this right into an international legal norm proceeded from the human-rights concept. The issue of human rights, which quickly developed in the post-war period into a branch of international law, coincided with the growing problem of Third World development in the 1970s. But whereas the former had already formed into a fairly well developed system of norms, the latter was still in the doctrinal, or research, stage. This explains how the right to development gained entrance into international law through the door marked "Human Rights."

Literature cites 1972 as the year of precedent. The Senegalese judge, Keba Mbay, devoted his inaugural lecture at the study session of the International Institute of Human Rights (Strasbourg) to the right to development as a human right and the same year the Institute's Director, Karel Vasak, launched the concept of "human rights of the third generation," later better known as and perhaps more appropriately called "collective rights."¹¹ In 1977, this right was discussed by the Commission on Human Rights. In 1979, the UN General Assembly emphasized in its resolution 34/36 (art.8) that "the right to development is a human right and that equality of opportunity for development is as much a prerogative of nations as of individuals within nations." The Commission on Human Rights gave the task of analysing the right to development to its separate Working Group of Governmental Experts established in 1981. The group has been convening annually, and has made considerable headway in its research of various aspects of the right to development. The acuteness of the problem, and the growing interest it inspired within the UN were marked by a rapid growth of the number of publications on the subject throughout the 1980s. Their geography extended, too. While in the 1970s books and articles on the right to development were published only in Western Europe and North Africa, in the 1980s they started coming out in the United States, Asia, Eastern Europe, Australia and Central Africa.

Throughout the 1980s, international scientific conferences and symposia were held on this subject almost annually.¹² It was studied by the International Law Association for a number of years as part of its investigation into the legal aspects of the new international economic order. A Conference of the International Law Association in 1986 adopted the Seoul Declaration on the New International Economic Order, which included the right to development among its nine basic principles. The right to development was also included in the Asian-Pacific declaration of human and peoples' rights, which was adopted by the second conference of lawyers from Asian and Pacific countries (Delhi, 1988).

The inclusion of the right to development in the African Charter of Human and Peoples' Rights in 1981 did a lot toward making it an established norm. Article 22 of the Charter says that "all peoples shall have the right to their economic, social and cultural development . . . in the equal enjoyment of the common heritage of mankind."

The work performed by the UN Commission on Human Rights resulted in the adoption in 1986 of two resolutions by the General Assembly: the Declaration on the Right to Development (Res. 41/128) and The Right to Development (Res. 41/133). Both resolutions were supported by an overwhelming majority of UN member states: 146 voted in favour of the first (with the US against and 8 abstaining), and 133 for the second (with 11 against, including the US, and 12 abstaining).

As justification for its opposition to the two UN resolutions, the United States said that there can be no right to development in international law.

The above-mentioned facts, however, testify to the untenability of this position. Speaking at Vrije Universiteit (Free University, Amsterdam) in April 1987, Nagendra Singh, the President of the International Court of Justice, pointed out that this right unquestionably exists, that it is based on that this right unquestionably exists, that it is based on the fundamental principles of UN Charter, particularly those concerning the sovereign development of States, non-discrimination, interdependence and international cooperation.¹³

The US position also runs counter to practical efforts that have been undertaken by the UN, such as the strategy of development and development programmes; the foundation and development of an entire system of central bodies (the General Assembly, ECOSOC and the Trusteeship Council) and auxiliary ones (of which there are more than 20), as well as of specialized development agencies; and of course, a growing number of special resolutions and international conventions elaborated and adopted within this system that directly or indirectly bear upon development problems.

The UN Charter contains two of the basic principles of international law--equality and self-determination. These principles are fundamental to the right to development. The opening articles of the International Covenants on Human Rights adopted in 1966 state that in accordance with these principles, all peoples should be able to "freely pursue their economic, social and cultural development." The same article echoes the provisions of the UN Charter obliging the signatories to "promote, the realization of the right to self-determination," and to "respect that right." The document also states that "all peoples may, for their own ends, freely dispose of their natural wealth and resources"¹⁴ on the same basis. The latter is of fundamental significance for the right to development, for it consolidates one of the mutual bases of its implementation.

The 1978 Vienna Convention on Succession of States in Respect of Treaties confirms that international law upholds the principle endorsing the inalienable sovereignty of every people and every State over their natural wealth and resources. The fundamental nature of this principle was also confirmed by the 1978 Convention on Succession of States in Respect of State Property, Archives and Debts, which says: "Agreements concluded between the predecessor State and the newly independent State...shall not infringe the principle of the permanent sovereignty of every people over its wealth and natural resources."¹⁵

Even though the 1982 UN Convention on the Law of the Sea has yet to come into force, it can be cited as another source proving the legitimacy of the right to development. It contains the right of States to establish "exclusive economic zones" up to 200 miles wide beyond their territorial seas, which greatly extends the rights of coastal States (Art.55-75). The Convention endorses the rights of coastal States to prospect for and develop natural resources on the continental shelf (Art.77). The Convention assigned responsibilities of States pertaining to the conservation and management of the living resources of the high seas (Art.117,120), as well as to the protection and preservation of the marine environment (Art.192-237). The Convention also covered the rights and obligations as regards marine

scientific research (Art.238-265). It introduced new provisions safeguarding the development interests of landlocked States (Art.124-132). A key-provision of the Convention establishes the international area and develops its legal status "for the benefit of mankind as a whole" and from the point of view of its being "the common heritage of mankind" (Art.136-155).¹⁶ The Convention stipulates that the wealth of the international area should be rationally exploited in such a way as to assist the development of all countries, primarily the newly-free ones.

All this shows that the 1982 maritime Convention, despite the fact that it is limited to the maritime aspect of development and has yet to come into force, so far remains the most extensive source of international law concerning the right to development.

The list of sources legitimizing the right to development in international law would not be complete without including several major UN documents, which are usually classified as "soft law", that is, the norms they establish are referred to as "declarative." An example of such a document is the multilateral Teheran Proclamation on Human Rights (1968). Among other things, the document pointed out that "the achievement of lasting progress in the implementation of human rights, is dependent upon sound and effective national and international policies of economic and social development."¹⁷(Art.13)

This provision was based on the International Covenants on Human Rights of 1966.

Among the totality of multilateral international "soft-law" acts directly concerned with the right to development, three historic documents adopted by the UN in 1974 stand out in particular. One of these, the Declaration on the Establishment of a New International Economic Order, was adopted to "ensure steadily accelerating economic and social development...for present and future generations." The Declaration stated that "international cooperation for development is the shared goal and common duty of all countries."¹⁸ The 20 principles proposed by the declaration to underlie a new economic order had one goal-- to provide for international cooperation for the purpose of development, primarily in the countries of the Third World. The UN Programme of Action on the Establishment of a New International Economic Order also proclaimed this goal.

International law in the sphere of development-related problems was further developed with the adoption by the 29th session of the UN General Assembly of the Charter of Economic Rights and Duties of States that same year. Several of its 15 principles directly pertain to development. They, for instance, condemn "injustices...which deprive a nation of the natural means necessary for its normal development" (Principle i), and uphold "international cooperation for development" (Principle n). Development is explicitly referred to in the special principles contained in Chapter 11. They stipulate, in particular, that every State "has the primary responsibility to promote the economic, social and cultural development of its people" and "to ensure the full participation of its people in the process and benefits of development."¹⁹(Art.7); that "all States have the responsibility to cooperate...for the promotion of economic and social progress throughout the world, especially that of the developing countries"

(Art.9); that "States have the right...to participate in subregional, regional and interregional cooperation in the pursuit of their economic and social development" (Art.12); that "every State has the right to benefit from the advances and developments in science and technology for the acceleration of its economic and social development" (Art.13); that every State has the duty to cooperate in promoting an expansion and liberalization of world trade taking into account the development needs of all countries (Art.14); and that "it is the right and duty of all States...to eliminate colonialism, apartheid, racial discrimination, neocolonialism and aggression...as a prerequisite for development" (Art.16). The Charter also states. "International cooperation for development is the shared goal and common duty of all States. Every State should cooperate with the efforts of developing countries to accelerate their economic and social development" (Art.17); "developed countries should grant generalized preferential, non-reciprocal and non-discriminatory treatment to developing countries."²⁰(Art.19)

The preceding clearly shows that there is no basis to the non-recognition of the right to development.

Another remarkable feature of the Charter was that it was the first UN document of such import to establish the relationship between disarmament and development: "All States have the duty to promote the achievement of general and complete disarmament under effective international control and to utilize the resources freed by effective disarmament measures for the economic and social development of countries, allocating a substantial portion of such resources as additional means for the development needs of developing countries."²¹(Art.15)

The Declaration on the Right to Development and the resolution on its implementation, both adopted by the UN in 1986, are also of significance. Their importance primarily lies in the fact that they reflect, in a condensed form, the most widely-accepted approach to the normative content of this right.

Two reports given at international conferences published at nearly the same time as the above-cited UN resolutions also deserve mention. The first, entitled *Some Unorthodox Reflections on the 'Right to Development'*²² was written by Professor Mohammed Bedjaoui, an outstanding international lawyer and a member of the International Court of Justice. He delivered his report at a London symposium in 1985. The second-- *The Human Right to Development*²³ --was prepared by Dr Danilo Trk, an expert in international law from Yugoslavia, who, though young, is already a famous author in this field. He spoke before a colloquium organized by the University of Utrecht in 1986.

Proceeding from the text of the two UN resolutions mentioned above, let us now consider the main legal points of the right to development.

Who are the subjects of this right and who are the users? It belongs to the individual, the people and the State. "The human person is the central subject of the development process," says the preamble and Art.2 of the Declaration. Insofar as the State commands power, it carries the primary responsibility for the provision of this

right. Yet, as the preamble and Art.2 of the Declaration specify, it is "the human being" that should be "the main participant" of the right to development.

What are the legal sources of the right to development? Several major sources have already been cited, both normative (legally binding), and "soft", "declarative" sources. What underlies the Declaration on the Right to Development? First and foremost, the Declaration refers to those goals and principles in the UN Charter that provide for the implementation of international cooperation in the area of international economic, social, cultural and humanitarian problems, as well as in the sphere of promoting and developing respect for human rights and the fundamental freedoms of all regardless of race, sex, language or religion. The principles laid down in the Charter include a separate reference to the right of peoples to self-determination, including the generally accepted definition of this term: "The right freely to determine their political status and to pursue their economic, social and cultural development." Furthermore, the document refers to the "right of peoples to exercise, subject to relevant provisions of both International Covenants on Human Rights,...their full and complete sovereignty over all their natural wealth and resources."

In addition to the UN Charter, the Declaration cites both International Covenants on Human Rights and the Universal Declaration of Human Rights. It also refers to "relevant agreements, conventions, resolutions, recommendations and other instruments of the United Nations and its specialized agencies concerning the integral development of the human being, economic and social progress and development of all peoples, including those instruments concerning decolonization, the prevention of discrimination, respect for, and observance of, human rights and fundamental freedoms, the maintenance of international peace and security and the further promotion of friendly relations and cooperation among States in accordance with the Charter."²⁴

Before going into the object and the normative content of the right to development, it should be mentioned that the Declaration defines (in the preamble and Art.1) the right to development as "an inalienable human right." In other words, this right not only belongs to each of its three subjects (the individual, the people and the State), it is also an integral part of the overall system of individual and people's rights. This is confirmed by the Declaration, which (in the preamble and Art.6) specifies that "all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of, respect for, and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms."²⁵

Now for the object of the right to development. According to Article 1, paragraph 1 of the Declaration, this right stipulates that all of its subjects, every individual and all peoples and States, should participate in "economic, social, cultural and political

development, in which all human rights and fundamental freedoms can be fully realized."²⁶

The Resolution on the Right to Development (41/133) attempts to specify the objectives. It states that "the achievement of the right to development requires a concerted international and national effort to eliminate economic deprivation, hunger and disease in all parts of the world without discrimination in accordance with the Declaration and the Programme of Action on a New International Economic Order, the International Development Strategy for the Third United Nations Development Decade and the Charter on the Economic Rights and Duties of States." "To this end," as is stated in paragraph 2, "international cooperation should aim at maintenance of stable and sustained economic growth with simultaneous action to increase concessional assistance to developing countries, build world food security, resolve the debt burden, eliminate trade barriers, promote monetary stability and enhance scientific and technological cooperation."

On the whole, the discussion of the right to development in the United Nations shows that it is regarded as a universal international right, and that its object concerns various aspects of the development of *all* subjects of this right. The Declaration establishes a distinct connection between disarmament and development (with reference to the above cited Art. 15 of the Charter of Economic Rights and Duties): In the preamble to the Declaration, the UN General Assembly confirmed that "there is a close relationship between disarmament and development and that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples and, in particular, those of the developing countries."

Art. 7 says: "All States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries."

Several conclusions can be drawn from this: (1) The process of disarmament for development is part of the regulation object of the right to development. (2) This consideration, in addition to the scope of the object of its regulation set down by the UN GA Res. 41/133, indicates that the right to development cannot be an isolated norm; it must inevitably grow into not only a totality, a system of norms. (3) It is necessary to work out relevant legal norms to regulate the disarmament-for-development process. (4) A difference clearly exists between the regulation of the two elements (disarmament--development) of the integrated disarmament-for-development process. (5) As a subsystem, these norms must be an organic part of the right to development viewed as a system of norms.

In other words, an analysis of the right to development reveals the need to codify it as a system of international legal norms related to the problem of development.

What are the rights and duties assigned by the 1986 Declaration to the subjects of the right to development?

Rights. People, both individually and collectively, are the main participants in the right to development. Every human person and all peoples are entitled to participate . . . in economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized" (Art. 1, para. 1). They may have the right to contribute to and benefit from such development (Art. 2, para. 1). The right to development also provides for the realisation of peoples' right to self-determination and the inalienable right of peoples to full sovereignty over all their natural wealth and resources.

States also have rights. As opposed to those to those of individuals and peoples, the main right of all countries is to "formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals..." (Art.2,para.3). This right of the State, however, is closely connected to the above-mentioned ones of individuals and peoples concerning their participation in development. For this reason, this right of States, again according to paragraph 3 in Art. 2, is stipulated by necessity of "active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom" of their entire population and of all individuals.

These rights envisage for the same rights of others and the indivisibility and interdependence of all human rights and fundamental freedoms, which is specifically emphasized both in the preamble and in Article 6, paragraph 2, and Article 9, paragraph 1 of the Declaration.

Duties. "All human beings have a responsibility for development, individually and collectively," says Article 2, paragraph 2. Accordingly, this Article obliges individuals and peoples to "promote and protect an appropriate political, social and economic order for development." This stipulation is of considerable importance, for it, since development is feasible only under conditions of genuine democracy, essentially makes the safeguarding of democracy a duty.

The main duties pertaining to the right to development are shouldered by the state. The state is obliged to direct its policies toward the constant improvement of the well-being of all, and to provide for, as was earlier quoted from Article 2, paragraph 3, active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom by every and all individuals. The state should "encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights" (Art. 8, para. 2). In safeguarding the right to development, the state must ensure "quality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income" (Art. 8, para. 1).

The Declaration also determines the duties of states in the area of international cooperation. These stem from a key provision

of the Declaration: "States have the primary responsibility for the creation of national and international conditions favourable to the realisation of the right to development" (Article 3, paragraph 1). In the international sphere, "states have the duty to cooperate with each other in ensuring development and eliminating obstacles to development" (Article 3, paragraph 3). As the Declaration points out, this pertains to such obstacles to development as result "from failure to observe civil and political rights as well as economic, social and cultural rights" (Article 6, paragraph 3), rights which are "indivisible and interdependent" (paragraph 2). "States should fulfill their rights and duties in such a manner as to promote a new international economic order, . . . as well as to encourage the observance and realisation of human rights" (Article 3, paragraph 3).

The Declaration states that "the realization of the right to development requires full respect for the principles of international law" (Article 3, paragraph 2), which are codified in the UN Declaration of Principles of International Law (1970). In other words, the Declaration refers to the principles of peaceful coexistence.

As is clearly evident, the duties stemming from the right to development are multifaceted. They, just as with the rights, not only require systematisation, but also need to be developed and codified.

The elaboration of the above-cited Declaration on the Right to Development represented a step in this direction. Here, the content of its two closing articles is particularly relevant. Article 9 says: "All the aspects of the right to development set forth in this Declaration are indivisible and interdependent and each of them should be considered in the context of the whole." Article 10 pertains to the further elaboration of the right to development. It says that measures must be undertaken not only to realise this right, but to consolidate it, "including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels."

Thus it can be seen that the disarmament-for-development issue comprises separate norms of international law, which are developed to various degrees. There is no avoiding the need to elaborate a single legal structure, a system, which could unite the existing norms into a single whole and reveal and fill in the gaps.

NOTES

1. From Chapter 4 of *Disarmament for Development* (New Delhi, 1989). Corrected and edited for reproduction as a conference paper.
2. *Twenty Years of Bandung and Problems of Peace and Security in Asia*, Allied Publishers Private Ltd., Bombay, New Delhi, 1975, p. 142.
3. *Twenty Years of Bandung*, pp. 148-149.
4. *Ibid.*, p. 151.

5. *Non-Aligned Conference: Basic Documents 1961-1975*, Colombo, 1976, p. 15.
6. *Ibid.*
7. M. Virally, *Vers un droit international du développement*, *Annuaire français de droit international* 1965; A. Philip, *Les NU et les PVD*, in *L'Adaptation de L'ONU au monde d'aujourd'hui*, Colloque de Nice, P., 1965.
8. M. Flory, *Droit international du développement*, P., 1977; A. Pillet, *Le droit international du développement*, P., 1978; G. Feuer et H. Casaa, *Droit international du développement*, P., 1985.
9. The first was held in Aix-en Provence in 1973 (its materials were published in Paris in 1975) (*Pays en voie du développement et trans-formation du droit international*), and the second in 1976. Its materials were published also in Paris (*Droit international du développement*).
10. M. Bennouna, *Droit international du développement*, *Tiers monde et l'interprétation du droit international*, Rabat, 1976; M. Benchika, *Droit international du sous-développement*, *Nouvel ordre dans la indépendance*, Algiers, 1978; M. Bedjaoui, *Towards a New International Economic Order*, UNESCO, P., N.Y., L., 1979. See also his first work on the subject: M. Bedjaoui, *Pour un nouveau droit social inter-national*, in *Annuaire de l'Association des auditeurs*, The Hague, 1969, v.39, pp. 17-28.
11. Koen de Feyte, *The Right to Development and the Development of Human Rights*, *Studia Diplomatica*, vol. XXXIX, 1986, Num.3, p. 269; K. Vasak, *For the Third Generation of Human Rights: the Rights of Solidarity*, Inaugural Lecture to the Tenth Study Session of the International Institute of Human Rights, Strasbourg, 1979, par. 9-10.
12. See, for instance, the materials of the international scientific conferences held in Colombo (1980), The Hague (1981), San Diego, California (1985), Belgrade (1985), London (1985), Utrecht (1986), Oxford, Great Britain (1987), and Uppsala (1988).
13. See: ILA, Warsaw Conference, International Committee on Legal Aspects of NIEO, L., 1988, pp.5-6.
14. International Covenant on Economic, Social and Cultural Rights, Article 1.
15. Vienna Convention on Succession of States in Respect of State Property, Archives and Debts, A/Conf.117/14, April 7, 1983, p.10, Article 15(4).
16. *The Law of the Sea*. Official Text of the United Nations Convention on the Law of the Sea with Annexes and Index. United Nations. New York, pp.42,43.

17. The International Conference on Human Rights, April 22-May 13, 1968, GA Resolution 2081 (XX).
18. Resolutions adopted by the General Assembly during its Sixth Special Session. April 9-May 2, 1974. General Assembly, Official Records, Supplement No.1 (A/9559), p.3.
19. *Treaties and Alliances of the World*, London, 1981, pp.43-45.
20. *Treaties and Alliances of the World*, London, 1981, pp.43-45.
21. *Ibid.*, p.45.
22. In: *International Law of Development: Comparative Perspectives*, ed. by Francis Snyder & Peter Slinn, Abingdon, 1987, pp.87-116.
23. In: *Restructuring the International Economic Order: The Role of Law and Lawyers*, Utrecht, 1986, pp.85-105.
24. Declaration on the Right to Development, UN GA Res. 41/128.
25. UN GA Res. 41/128.
26. *Ibid.*