

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1983/11
9 December 1982

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Thirty-ninth session
31 January-11 March 1983
Item 8 of the provisional agenda

Report of the Working Group of Governmental Experts on the Right
to Development

Rapporteur:

Mr. Gilles CHEURAUQUI

(France)

Introduction

1. By its decision 1982/141 of 7 May 1982 the Economic and Social Council took note of Commission on Human Rights resolution 1982/17 of 9 March 1982 and approved the Commission's request to the Working Group of Governmental Experts on the Right to Development to hold two sessions of two weeks each at Geneva, the first in June/July 1982 and the second in September/October 1982. In resolution 1982/17 the Commission commended the first report of the Working Group contained in E/CN.4/1489 and took note with satisfaction of the progress made so far by the Working Group as reflected in its report and recommendations. The Commission also decided to reconvene the Working Group with the same mandate in order to allow it to prepare, on the basis of its report and all documents already submitted or to be submitted, a draft Declaration on the Right to Development. The Working Group was requested to submit to the Commission at its thirty-ninth session a report and concrete proposals for a draft Declaration on the Right to Development.

2. The Working Group is composed of governmental experts from the following countries: Algeria, Cuba, Ethiopia, France, India, Iraq, Netherlands, Panama, Peru, Poland, Senegal, Syrian Arab Republic, United States of America, Union of Soviet Socialist Republics and Yugoslavia. The bureau is composed of the experts from Senegal (Chairman), Cuba, India and Yugoslavia (Vice-Chairmen), and France (Rapporteur).

Dates of sessions

3. The Working Group held its fourth session from 28 June to 9 July 1982 and its fifth session from 22 November to 3 December 1982, in Geneva.

Attendance

4. A list of participants, including the governmental experts and other participants, who participated in the fourth and fifth sessions of the Working Group is to be found in annex I.

Documentation

5. A list of working papers submitted by governmental experts is to be found in Annex II. A list of other working papers submitted to the Working Group is to be found in annex III.

Organization of work

6. At both sessions, the Working Group established a Drafting Committee of five governmental experts (Algeria, Cuba, France, India and Yugoslavia), open to all other members, with the mandate of submitting to the Group draft Guidelines for a Declaration on the Right to Development as well as draft provisions for the preamble and the operative part of the Declaration. The Drafting Committee held several meetings.

Consideration of the draft preamble and operative part

7. At its fourth session the Working Group had before it some guidelines submitted by the Drafting Committee for the preparation of the draft preamble (contained in E/CN.4/AC.39/1982/11). The Working Group had also before it some draft provisions for the preamble, submitted by the Drafting Committee.

8. At its fifth session the Working Group continued to consider proposals for the draft preamble and started to examine, also, proposals for the operative part.

9. At its meeting held on 26 November 1982 the Working Group decided, on the suggestion of the Drafting Committee, that the operative part of the draft declaration should comprise three main parts as follows:

- Part I - Principles and Objectives [definitions and contents]
- Part II - Means
- Part III - General Provisions

It was understood that the draft outline and the proposals were ad referendum and may be modified at any time.

10. At the request of the Drafting Committee, the Rapporteur prepared a compilation of all the proposals considered by the Committee. With respect to the operative part an effort was made to present them, as far as possible, in a logical order. However, the order in no way commits the experts. The compilation is reproduced in annex IV.

11. One expert submitted a proposed operative part of the draft Declaration which is contained in E/CN.4/AC.39/1982/14. Two other experts proposed another consolidated text contained in E/CN.4/AC.39/1982/22 and Addendum, which the Drafting Committee was unable to consider due to lack of time.

12. In the time available to it at its fourth and fifth sessions the Working Group was unable to complete all aspects of its mandate. It considered it desirable that work on the draft Declaration should continue on the basis of all documents already submitted or to be submitted. One expert stated that he joined in that view on the understanding that renewal of the mandate of the Working Group for the year 1983 would require no financial resources in addition to those already approved for the 1982-1983 biennium. Another expert questioned the appropriateness of an expert member of the Working Group expressing his views on the financial implications of decisions which fell within the competence of the Commission on Human Rights.

13. At its meeting on 3 December 1982, the Working Group adopted the present report for transmission to the Commission on Human Rights at its thirty-ninth session.

Annex I

List of participants

<u>Country</u>	<u>Name</u>
Algeria	Mr. Salah Fellah <u>c/</u> Mrs. Fatma Z. Ksentini <u>a/</u>
Cuba	Mr. Julio Heredia Pérez
Ethiopia	Miss Kongit Sinigiorgis <u>c/</u> Mr. Fesseha Yohannes <u>a/</u>
France	M. Gilles Chouraqui
India	Mr. V. Ramachandran <u>b/</u> Mrs. Lakshmi Puri <u>a/</u>
Iraq	Dr. Riyadh A. Hadi
Netherlands	Prof. Dr. P.J.I.M. de Waart
Panama	Mr. Luis E. Martínez Cruz
Peru	Mr. Juan Carlos Capunay <u>b/ c/</u> Mr. J. Alvarez Vita <u>a/</u>
Poland	Mr. H.J. Sokalski <u>b/ c/</u> Mr. R. Rysinski (observer)
Senegal	M. A. Sène M. I. Sy <u>a/</u>
Syrian Arab Republic	Dr. Ahmed Saker
United States of America	Mr. Peter L. Berger Mr. Stephen Bond <u>a/</u>
Union of Soviet Socialist Republics	Mr. Dimitry Bykov <u>c/</u> Mr. Victor Khananov <u>a/</u>
Yugoslavia	Mr. Danilo Turk

a/ Alternate

b/ Expert not present at fourth session.

c/ Expert not present at fifth session.

States Members of the United Nations represented by observers

Argentina

Belgium

Germany, Federal Republic of

Netherlands

United Nations bodies

Office of the Director-General for Development and
International Economic Co-operation

Office of the United Nations High Commissioner for Refugees

Specialized agencies

United Nations Educational, Scientific and Cultural Organization

World Health Organization

National Liberation Movements

Palestine Liberation Organization

Non-governmental organizations in consultative status

Category II

Bahai International Community

Friends World Committee for Consultation

International Association for Penal Law

International Commission of Jurists

International Federation of Women Lawyers

Roster

International Humanist and Ethical Union

Annex II

LIST OF WORKING PAPERS SUBMITTED BY GOVERNMENTAL EXPERTS

- E/CN.4/AC.39/1982/3 - List of United Nations documents of specific relevance to the drafting of a declaration on the right to development. Working paper prepared by Mr. G. Chouraqui (France), Rapporteur.
- E/CN.4/AC.39/1982/4 - Draft declaration on the right to development. Preamble proposals prepared by Netherlands.
- E/CN.4/AC.39/1982/5 - Proposals by the USSR Representative with regard to the preamble of the draft declaration on the right to development.
- E/CN.4/AC.39/1982/6 - Some proposals for insertion in the preamble to the draft declaration. Working paper submitted by Iraq.
- E/CN.4/AC.39/1982/7 - Draft preamble of the declaration on the right to development. Unofficial draft submitted by Mr. D. Turk (Yugoslavia).
- E/CN.4/AC.39/1982/8 - Material for the preamble to the draft declaration. Working paper submitted to the Drafting Committee informally by the Rapporteur (France).
- E/CN.4/AC.39/1982/9 and Rev.1/Add.1 and 2, Rev. 1 - Draft declaration on the right to development. Draft preamble submitted by the Drafting Committee.
- E/CN.4/AC.39/1982/10 - Draft preamble. Some important ideas for inclusion in the preamble, submitted informally by Senegal.
- E/CN.4/AC.39/1982/11 - Report on the work of the fourth session.
- E/CN.4/AC.39/1982/14 - Draft declaration on the right to development (operative part). Working paper submitted by Professor P.J.I.M. de Vaart (Netherlands).
- E/CN.4/AC.39/1982/15 - Observations on the format of and status of work on a draft declaration on the right to development. Working paper by Mr. H.J. Sokalski (Poland).
- E/CN.4/AC.39/1982/16 - Proposal for preambular paragraph 12 of draft declaration on the right to development. Working paper presented by Professor P. Berger (United States of America).
- E/CN.4/AC.39/1982/17 - Draft declaration on the right to development. Present status of draft preamble in the Drafting Committee.
- E/CN.4/AC.39/1982/18 - Draft declaration on the right to development. Additional paragraphs proposed for inclusion in the draft preamble.
- E/CN.4/AC.39/1982/19 - Draft declaration on the right to development. Present status of draft operative part in the Drafting Committee.

- E/CN.4/AC.39/1982/20 - Draft declaration on the right to development. Proposals collected by the Drafting Committee for inclusion in the draft operative part.
- E/CN.4/AC.39/1982/21 - Draft declaration on the right to development. Additional proposals collected by the Drafting Committee for inclusion in the draft operative part.
- E/CN.4/AC.39/1982/22 - Draft declaration on the right to development. Consolidated text relating to Part One of the draft operative part submitted for discussion by the Co-Chairmen of the Drafting Committee (Mr. V. Ramachandran, India and Mr. D. Turk, Yugoslavia).
- E/CN.4/AC.39/1982/22/ - Draft declaration on the right to development,
Add.1 operative part.
- E/CN.4/AC.39/1982/23 - Draft report of the Working Group to the thirty-seventh session of the Commission on Human Rights.
- E/CN.4/AC.39/1982/25/ - Draft report of the Working Group to the thirty-
Add.1 seventh session of the Commission on Human Rights.
- E/CN.4/AC.39/1982/24 - Draft declaration on the right to development. Additional proposals collected by the Drafting Committee for inclusion in the draft preamble and draft operative part.
- E/CN.4/AC.39/1982/25 - Draft declaration on the right to development.
Compilation of proposals made by experts.
- E/CN.4/AC.39/1982/26 - Draft declaration on the right to development. Working paper submitted by Algeria.

Annex III

LIST OF OTHER WORKING PAPERS SUBMITTED TO THE WORKING GROUP

- E/CN.4/AC.39/1982/1 - Provisional agenda of the first session.
- E/CN.4/AC.39/1982/2 - Some additional United Nations instruments which appear to be of particular relevance to the activities of the Working Group. Working paper prepared by the Secretary-General.
- E/CN.4/AC.39/1982/12 - Some additional United Nations instruments which appear to be of particular relevance to the activities of the Working Group. Working paper prepared by the Secretary-General.
- E/CN.4/AC.39/1982/13 - Provisional agenda of the fifth session.

Annex IV

DRAFT DECLARATION ON THE RIGHT TO DEVELOPMENT

Compilation of the proposals made by the experts */

Preamble

The General Assembly,

1. Bearing in mind the purposes and principles of the Charter of the United Nations relating to the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature, and the promotion and encouragement of respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

2. Considering that under the provisions of the Universal Declaration of Human Rights, everyone is entitled to a social and international order in which the rights and freedoms set forth in that Declaration can be fully realized [and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people],

3. [Considering further that the Declaration itself lays down the right of everyone to an adequate standard of living and to the realization of the economic, social and cultural rights indispensable for his dignity and the free development of his personality],

[Recalling that in accordance with the Universal Declaration of Human Rights, respect for the integrity and freedom of the individual and the right of everyone to an adequate standard of living must be ensured in order to secure the free development of their personality and that the desire to ensure respect for the exercise of certain human rights and fundamental freedoms can never warrant the denial of other human rights and fundamental freedoms],

4. Recalling further the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights **/ [including, inter alia:] [that by virtue of the right of self-determination, all peoples have the right freely to determine their political status and freely to pursue their economic, social and cultural development], [that the ideal of free human beings can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights as well as his civil and political rights and that these rights derive from the inherent dignity of the human person],

*/ Where a text has been placed in square brackets it denotes either that the formulation has not been discussed or that consensus has not been reached.

**/ The order in which the Covenants are listed is not necessarily definitive.

5. Recalling [bearing in mind] the relevant provisions of the declarations and resolutions adopted by the General Assembly including inter alia the Declaration on the Granting of Independence to Colonial Countries and Peoples, General Assembly resolution 1803 (XVII) of 14 December 1962 on "Permanent sovereignty over natural resources", the Declaration on the Elimination of All Forms of Racial Discrimination, the Declaration on Social Progress and Development, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the Declaration on Strengthening of International Security, the Declaration and the Programme of Action on the Establishment of a New International Economic Order, the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, the Charter of Economic Rights and Duties of States, [the Declaration on Preparation of Societies for Life in Peace], General Assembly resolutions 32/130 and 34/46 on "alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", General Assembly resolution 35/56 on the International Development Strategy for the Third United Nations Development Decade [General Assembly resolution 36/103 on the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States] as well as [the final document of the first special session of the General Assembly devoted to disarmament],

6. Recalling also the relevant provisions of the Proclamation of Teheran, the Declaration of Philadelphia, and the Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and incitement to War of the United Nations Educational, Scientific and Cultural Organization,

7. [Recalling further that these provisions reflect inter alia the general recognition of the interdependence of economic growth and social and cultural development in the wider process of growth and change and of the promotion and observance of human rights as a fundamental principle],

8. [Recognizing that it is necessary to reaffirm universal recognition of the right to development as a human right and equality of opportunity for development as a prerogative both of nations and of the individuals who make up nations],

[Convinced that the Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations support a right to development as a human right, which can secure equal opportunity for development of nations and thereby for the individuals who make up nations];

9. [Considering that the full development of the individual must be the ultimate aim of any development policy],

[Considering that the right to development is an inalienable collective right belonging to all peoples],

[Considering that the realization of the right to development embraces the provision to every member of society of the possibility of exercising the entire complex of rights that are necessary for the comprehensive development of the personality and above all the social and economic rights that determine the material basis and the conditions of human existence],

10. Recalling the right of peoples to self-determination, by virtue of which all peoples have the right to freely determine their political status and have an inalienable right to pursue freely their economic and social development and to exercise full and complete sovereignty over all their natural resources subject to the principles referred to in article 1, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights, [and the right of all States and peoples to peaceful, free and independent development],

11. Recalling [the principle of] [the obligation of States to promote] universal respect for, and observance of, human rights and fundamental freedoms for all without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

"12. [Affirming that a development strategy based on [repression and] the denial of either civil and political rights or economic, social and cultural rights, or both sets of rights, is both a violation of international human rights standards and a negation of the concept of development. Accordingly, the promotion of respect for the enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms.],

[Reiterating the need to create at the national and international levels conditions for the full promotion and protection of the human rights of individuals and peoples.],

[Affirming that a development strategy based on oppression, exploitation, colonial or foreign domination is a denial of the right to self-determination, of civil and political rights or of economic, social and cultural rights and is both a violation of international human rights standards and a negation of the concept of development. Accordingly, the promotion of respect for the enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms. In this regard the principle of free enterprise cannot justify unacceptable policies and practices by transnational corporations which pillage the resources of the developing countries, damage the sovereignty of these countries, violate the principle of non-intervention in the internal affairs of States, damage the right of peoples to self-determination and to dispose of their natural resources, and collaborate with the racist minority regime of South Africa.],

13. [Considering that the preservation and strengthening of international peace and security, curbing of the arms race and relaxation of the threat of war are necessary prerequisites for securing the right to development.],

14. [Reiterating that there exists a close relationship between disarmament and development; that progress in the field of disarmament would considerably promote progress in the field of development; and that the resources released as a result of measures taken in the sphere of disarmament should be redirected towards the economic and social development of all nations and should contribute to bridging the gap existing between the economies of developed and developing countries.],

15. [Underlining that the struggle for peace is equivalent to the struggle for development.],

16. [Underlining that the obstacles encountered by developing countries in their efforts to secure the enjoyment of human rights call for a global approach.],

[Considering that it is necessary to eliminate the obstacles which the developing countries face in their efforts to ensure the enjoyment of the right to development by just and equitable international co-operation and by the establishment of a new international economic order.],

17. [Considering that the elimination of the massive and flagrant violations of the human rights of the peoples and persons affected by situations such as those resulting from colonialism, neo-colonialism, apartheid, all forms of racial discrimination, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity and the refusal to recognize the fundamental right of peoples to self-determination and of all nations to exercise full sovereignty over their wealth and natural resources would contribute to the establishment of circumstances propitious to the development of a great part of mankind.],

18. [Considering likewise that the present unjust international economic order is an obstacle to the realization of human rights and fundamental freedoms.],

19. [Concerned at the continuing existence in too many countries of serious obstacles to the free development of the individual, such as the denial of civil and political rights and individual freedoms and the inequitable distribution of national income.],

[Considering the persistence at the national level of obstacles such as ignorance, illiteracy, absolute poverty and disease, lack of an egalitarian approach to development and of fair distribution of benefits of development to all sections of the people, inadequacy of capital, technology and skills, undue exercise of economic power of economically and socially powerful groups, lack of participation of all sections of the people in the development process, and persistence of economic structures and mechanisms arising out of economic dependence.],

20. [Bearing in mind that it is necessary for each State to assume the main role in ensuring such development for its nationals as would allow and promote popular involvement in the development process and facilitate the economic and social reforms it requires.],

21. [The entire international community shall ensure economic and social progress and the right to development and should supplement, by concerted international action, national efforts to raise the living standards of peoples.],

22. [Recognizing that there can be no peace or development without a form of co-operation on a large scale between all nations, with full respect for the self-determination of each people regarding the selection of the system in which they choose to live.],

23. [Recognizing that action for realization of the right to development fits into the framework of the struggle of peoples for their right to self-determination and their political, economic, social and cultural freedom.],

24. [Convinced that the lasting solution to the problems of developing countries calls for the restructuring of international economic relations in a consistent and coherent fashion through the establishment of a new international economic order.],

25. [Considering that the development of human societies must be understood in a global sense, that it includes in particular cultural development and that all members of the world community are interdependent.],

26. [Recalling the right of peoples who have freed themselves from colonial and foreign domination and exploitation to full compensation for the damage caused to their natural and any other resources.],

27. [Convinced that the codification and progressive development of the right to development will help to strengthen and promote human rights in both their individual and their collective dimensions.],

28. [Recognizing that the creation of conditions favourable to the development of individuals is the primary responsibility of their States as well as that States have responsibility to the international community and to their own citizens to protect and to promote human rights without discrimination.],

29. [Convinced that in a world of extreme abundance and abject poverty, the right to development based on human solidarity must be aimed at transforming charity into a right and assistance into an obligation.],

Operative Part

PART ONE

Objectives and Principles

[Definitions] [Contents]

I^{*/}

1. [The right to development is a human right and equality of opportunity for development is a prerogative both of nations and of the individuals who make up nations.],

2. [The right to development is the right of all States and peoples for peaceful, free and independent development.];

3. [For the purpose of this Declaration development is understood as a global economic, social, cultural, political and juridical process, both in its collective and individual dimensions, for the welfare of all peoples.];

4. [For the purpose of this Declaration development is understood as a process aiming at the improvement of the material and spiritual standards of living of all members of society so as to promote and protect human dignity. This process implies the free participation of human beings, individually and collectively, peoples and States in a continuous effort focused on that aim and based upon the respect for and compliance with human rights and fundamental freedoms as well as the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.];

5. [For the purposes of this Declaration the development of the individual is understood as his integral development, in the sense of an effort to promote his "multidimensional fulfilment". The individual must be considered as an active subject of such development.];

^{*/} Roman numerals are included only as a guide and in no way commit experts as to form, substance or order.

6. [Development, conceived as a whole, is not just economic, but also social. Minimum essential elements of development are access to health, education and employment, and it is necessary to ensure them through national and international action.],

7. [Development is a global economic, social, cultural and political process and its aim is the constant improvement of the well-being of the entire population and of all individuals on the basis of their active and meaningful participation in decision-making for development, in the voluntary implementation of decisions and in the fair distribution of the benefits resulting therefrom.];

II

1. [The right to development, which is based upon Article 28 of the Universal Declaration of Human Rights, is the human right of every person, individually or in entities established pursuant to the right to association, to participate in, contribute to, and enjoy a political, social, and economic order in which all human rights set forth in the International Bill of Human Rights can be fully realized.];

2. [The right to development is a human right. It embodies everyone's entitlement to a local, national and international order in which the civil and political rights as well as the economic, social and cultural rights set forth in the Universal Declaration of Human Rights and the International Covenants on Human Rights can be fully realized.];

3. [The right to development is a human right and applies to individuals, groups, peoples and States. It embodies the rights of individuals, groups, peoples and States to a local, national and international order in which the civil and political, the economic, social and cultural rights individually or collectively, as well as fundamental principles of international relations derived from the United Nations Charter, the Declaration of Principles of International Law on Friendly Relations among States and other relevant United Nations General Assembly resolutions, can be fully realized.],

4. [The right to development, based on article 28 of the Universal Declaration of Human Rights, is a human right which has its individual and collective dimensions. The final purpose of this right is the multidimensional development of the human being.]

5. [The right to development is an inalienable human right of all individuals and all peoples.

6. [The human right to development is an expression of the right of peoples to self-determination by virtue of which all peoples freely determine their political status and freely pursue their economic, social and cultural development and may, for their own ends freely dispose of their natural wealth and resources without prejudice to any obligation arising out of economic co-operation, based upon the principle of mutual benefit and international law. In no case may a people be deprived of its own means of subsistence.];

7. [The right to development includes the right to compensation for damages, social or economic in nature, caused as a result of colonialism and neocolonialism, discrimination and exploitation.];

8. [Information and communication are an essential source of the right to development, and free access to communication and information is a prerequisite for any participation in the political, economic, social and cultural life of societies, as well as that of the world community.],

9. [The right to development has two dimensions: one international and the other regional and national. At each of these levels development efforts are primarily the responsibility of States.];

10. [The right to development is the human right of every person, individually or in entities established pursuant to the right to association, to participate in, contribute to, and enjoy a political, social and economic order in which all human rights set forth in the International Bill of Human Rights can be fully realized.];

11. [The right to development includes within its contents:

(a) The right of every State to choose its economic, political, social and cultural system, without outside interference or coercion and its right to pursue its proper path of development based on the will of its people;

(b) The duty of each State and of all States to co-operate with each other with the view to promote development and without discrimination of any kind;

(c) The right of all States to share in the benefits of progress and scientific and technological innovation, in order to expedite their economic and social development;

(d) Provision of active assistance to developing countries by the international community as a whole, without any political, military or economic condition;

(e) Non-reciprocal preferential treatment for developing countries, wherever feasible, in all areas of international co-operation;

(f) Just and equitable relationships between the prices of raw materials, basic commodities, manufactures and semi-manufactures exported by developing countries and the prices of raw materials, basic commodities, manufactures, capital goods and equipment imported by the developing countries, with a view to initiating, in favour of these countries, a sustained improvement in unsatisfactory terms of trade and the operation of the world economy;

(g) The right of each individual and of all peoples to active and meaningful participation in decision-making for development as well as in voluntary execution of decisions and in fair distribution of benefits resulting from development.];

III

1. [The human being should be the central objective of development. An adequate development policy should have the human being as the main participant and beneficiary of development.];

2. [The human person should be regarded as the subject of the development process. All individuals should be accorded a position of active and meaningful participation in decision-making for development as well as in voluntary execution of decisions and in the distribution of benefits resulting therefrom.];

3. [Everybody has the right to an international, national and local order in which his right to development can be fully realized.];

4. [The human being should be the central subject and object of development. An adequate development policy therefore should have the human being as the main participant and beneficiary of development.];

5. [In respect of human beings the primary responsibility for development rests with themselves, individually and collectively, taking into account their responsibility to the community in which alone the free and full maturation of their personality is possible and which therefore should promote and protect an appropriate social order for development, bearing in mind that all human rights are inseparable and indivisible.];

6. [The right to development involves a social order which is properly attuned to the encouragement of everyone's full and active participation, individually and through appropriate associations, so as to ensure to the largest possible extent the respect for human dignity and the promotion of a fair distribution of the benefits from development.];

7. [The human person is the central subject of development and should therefore be the active participant and beneficiary of the right to development.];

8. [The State has the right and the duty to formulate appropriate development policies which should lead to the realization of these objectives. This implies, inter alia, the duty to establish an appropriate institutional framework which would facilitate adequate participatory opportunities and the duty of States to co-operate with each other with a view to achieving the development of mankind.];

9. [Every State should assume the main role in ensuring development for its nationals. Full sovereignty over national economic resources should be exercised in the interest of the broad popular masses.];

10. [In respect of nations the primary responsibility for development rests with themselves, taking into account their responsibility to the international community and to the individuals who make up nations. The international community should promote and protect an appropriate international order for development, bearing in mind that all human rights are inseparable and indivisible.];

11. [The right to development should be considered as an integral aspect of the right of self-determination of peoples as a human right, by virtue of which peoples may freely and in a democratic way determine their political status, pursue their development as well as dispose of their natural wealth and resources, taking into account obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law.];

12. [The right to development should be considered as an integral aspect of the duty of States to co-operate with one another, in a spirit of solidarity, as a principle of international law by virtue of which States should continuously aim at the promotion and protection of international peace and security as well as of international social and economic relations based upon equality of opportunity for development of all nations and individuals who make up nations.];

13. [With a view to the realization of the right to development, States must co-operate with one another, regardless of the differences which exist between their political, economic and social systems, in the various areas of international relations in order to maintain international peace and security, to promote economic, technical, social and cultural progress and the general well-being of nations, to establish a new, more just and more equitable international order, to eliminate all forms of inequality and exploitation of peoples and individuals, and to combat colonialism, racism, particularly apartheid, and any other policy or ideology contrary to the purposes and principles of the United Nations.];

14. [The primary obligation of each State to promote the economic, social and cultural development of its people can be exercised effectively only if the obligation of solidarity assumed by members of the international community under the Charter of the United Nations is fully respected.];

15. [States have the right and the primary responsibility to ensure development both within each nation and internationally and, towards this objective, it is the duty of all States to co-operate with each other in promoting and assisting the achievement of development and in eliminating the obstacles to development by observing and by promoting realization of, inter alia, the following principles:

- (a) Self-determination and equal rights of peoples;
- (b) Equality of opportunity of all nations and individuals;
- (c) Sovereignty, territorial integrity and political independence of States, as well as their sovereign equality;
- (d) Non-aggression;
- (e) Peaceful settlement of disputes;
- (f) Non-intervention in matters within the domestic jurisdiction of any State;
- (g) International co-operation on an equitable basis, with a view to eliminating existing disparities in the world and ensuring prosperity for all;
- (h) Promotion of international social justice;
- (i) Remedying of injustices which have been imposed by force and deprive nations of the means necessary for their normal development;
- (j) Fulfilment in good faith of international obligations;
- (k) Promotion of universal respect for and observance of human rights;
- (l) Permanent sovereignty of each nation over its wealth, natural resources and economic activities.];
- (m) [Entities established pursuant to the right of association and traditional entities aiming at development of individuals which compose them, being intermediate between individuals and the State, are of special significance for the realization of the right to development and should be respected as such by States;

IV

1. [The right to development involves a social order which is properly attuned to the encouragement of everyone's full and active participation, individually and through appropriate associations, so as to ensure to the largest possible extent the respect for human dignity and the promotion of a fair distribution of the benefits from development.];

2. [The right to development involves an international order which is properly attuned to the encouragement of every nation's full and active participation, individually and collectively, so as to ensure to the largest possible extent the respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.];

3. [The ultimate purpose of the right to development is the constant improvement of the well-being of the entire population as well as the realization of the potentialities of each human being.];

4. [The right to development is an integral aspect of the duty of States to co-operate with each other in a spirit of solidarity as a principle of international law, by virtue of which States should continuously act for the promotion and protection of international peace and security as well as for the establishment of an international order based upon equality of opportunity for all nations.];

V

1. [All aspects of the right to development set forth in the preceding paragraphs are indivisible and interdependent.];

Part Two

I

1. [For full and universal achievement of development it is necessary to eliminate the massive and flagrant violations of the human rights of the peoples and persons affected by situations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, and the refusal to recognize the fundamental right of peoples to self-determination and of all nations to exercise full sovereignty over their wealth and natural resources.];

2. [Every State should promote the establishment and maintenance of international peace and security, which are essential for full realization of the right to development.];

3. (a) [Every State should work to make a reality of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature and in promoting and encouraging respect for the human rights and fundamental freedoms of all, without distinction as to race, sex, language or religion.];

(b) As a complement to the efforts every developing country should make to secure its own development and regardless of the assistance such countries may give each other, it is necessary to provide them with abundant, systematic and effective international co-operation which will allow them to increase their development resources adequately

4. [Priority should be given to the establishment of a new international economic order which will help to place developing countries in a position to achieve true economic independence and to create material and spiritual conditions to provide an adequate standard of living for the population.];

5. [An era of large-scale co-operation among all nations should be inaugurated, based on respect for the self-determination of every people with regard to the choice of the system under which they want to live.];

6. [(a) The right to development implies that States and the international community as a whole should aim at the creation of local and national conditions whereby everyone may enjoy the rights set forth in the Universal Declaration of Human Rights and the International Covenants on Human Rights.],

7. [The right to development implies that States and the international community as a whole should aim at the creation of international conditions favourable to the promotion and protection of the rights set forth in the Universal Declaration of Human Rights and the International Covenants on Human Rights. While respecting at all times fundamental freedoms, international action should focus on the eradication of obstacles to equality of opportunity of nations and individuals who make up nations, resulting from, inter alia, aggression, colonialism, foreign domination and occupation as well as from a non observance of generally accepted international standards in respect of education, employment, food, health, housing, information and participation.];

8. [The realization of the right to development involves, at the international level, the formulation, adoption and implementation of international instruments which reflect a consensus among States with different economic, social and political systems.];

9. [International instruments should focus on national, regional and global measures to promote and protect the rights and fundamental freedoms set forth in the Universal Declaration of Human Rights and the International Covenants on Human Rights by, inter alia, adequate mobilization of resources for development as well as information, participation and equality of opportunity of all nations with regard to development.];

10. [The international community should focus on the fulfilment of international commitments concerning development freely entered into, on the pacific settlement of disputes arising therefrom, as well as on evolving and elaborating general principles of law in respect of the right to development.];

11. [The realization of the right to development requires at the international level the installation of a world food security system, the creation of a new monetary system which will be rational, equitable and universal, the creation of an international fund to aid developing countries and the sharing among States of the peaceful benefits of scientific and technological progress.],

12. [The means for the realization of the rights to development at international level are:

(a) Eradication of colonialism, apartheid, racial discrimination, neocolonialism and all forms of foreign aggression, occupation, intervention and domination and their economic and social consequences;

(b) Democratization of international relations on the basis of just and equitable participation of all States in international political relations, including decision making related to maintenance of international peace and security as emphasized by the non-aligned countries;

(c) Promotion of general and complete disarmament and utilization of the resources for development, in particular that of developing countries;

(d) Early and resolute steps towards the realization of the third development decade and establishment of a new international economic order, which include, inter alia:

(i) individual and collective measures to strengthen economic, trade and technical co-operation among developing countries;

(ii) just and equitable international division of labour which comprises industrialization of developing countries, their access to markets of developed countries, food security, transfer of adequate resources through trade, official development assistance and access to capital markets, reform of the international monetary system, transfer of technology on advantageous conditions, equitable remuneration for primary commodities, the protection of the purchasing capacity of developing countries and just terms of trade;

(iii) democratic participation in international economic institutions, particularly International Monetary Fund, World Bank and General Agreement on Tariffs and Trade;

(iv) regulation and monitoring of the activities of transnational corporations by adoption of measures designed to promote the interests of countries in which such corporations operate on the basis of the full sovereignty of such countries,

(v) common management of resources like sea-beds and outer space which are the common heritage of mankind;

(e) Development of just and equitable international co-operation with the view to:

(i) promotion of education and scientific progress;

(ii) promotion of cultural co-operation including the return of cultural wealth and historical patrimony and development of dialogue between various cultures;

(iii) establishment of a new international information and communications order;

(iv) solving urgent social problems including the realization of social and cultural rights of migrant workers.];

13. [States shall have the duty, individually or collectively, to ensure the exercise of the right to development.];

14. [States should co-operate in the economic, social and cultural fields as well as in the field of science and technology and for the promotion of international cultural and educational progress. States should co-operate in the promotion of economic growth throughout the world, especially that of the developing countries.];

15. [All States have the duty to promote the achievement of general and complete disarmament under effective international control and to utilize the resources released 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.];

16. [With a view to accelerating the economic growth of developing countries and bridging the economic gap between developed and developing countries, developed countries should grant generalized preferential, non-reciprocal and non-discriminatory treatment to developing countries in those fields of international economic co-operation where it may be feasible.];

17. [The right to development can be fully realized only under conditions of preserving a lasting peace, guaranteeing the right of peoples to independence and social progress as well as wide international co-operation.];

18. [For the purpose of the effective realization, individually or collectively, of the right to development the developed countries must accelerate the transference of resources to the developing countries and ensure to the latter favourable conditions in the fields of economy, trade and scientific exchange.];

19. [Supplementary efforts should be undertaken to establish more social justice and equal rights for the full implementation of the right to development. For this purpose, all peoples and States should struggle against the obstacles hampering the realization of the right to development.];

20. [The full enjoyment of the right to development requires expansion of efforts directed at guaranteeing the rights of everyone to live in peace and security, including the adoption of practical measures essential to achieving disarmament.];

21. [The realization of the right to development requires the active, full and equitable participation of the developing countries in the formulation and implementation of all decisions affecting the international community.];

22. [The exploration, exploitation and management of the common heritage of mankind must be carried out for peaceful purposes and in the interests of mankind as a whole, regardless of the geographic, economic and political situation of States. The benefits deriving therefrom must be shared equitably by all States, regard being had in particular to the special interests and needs of the developing countries.];

23. [States, both individually and in co-operation with other States and with the competent international organizations, must actively encourage the communication of scientific data and information, and the transfer, particularly to developing

States, of know-how from scientific and technical research, and strengthen the capacity of those States to conduct scientific and technical research, inter alia, by means of programmes to provide appropriate education and training for their technical and scientific personnel.];

24. [States, either directly or through the competent international organizations, must co-operate to the extent of their abilities in actively promoting the development and transfer of science and technology under just and equitable terms and conditions, and in introducing economic and legal conditions favourable to the transfer of science and technology.];

25. [States must encourage the development of scientific and technological capacity in developing countries and must promote technical assistance for this purpose.];

26. [Realization of the right to development, particularly in its cultural dimension, calls for the mobilization of national and international means for the preservation of cultural and historical relics and for the return to the country of origin of cultural property which has been plundered or acquired unlawfully.];

27. [The establishment of a new international economic order based on the principles of justice and equity must be designed to achieve not only an improvement in the material well-being of peoples but also the full development of each human being by a global process embracing economic and social relations, the dissemination of science and technology, education, information and culture.];

28. [In order to ensure, in the context of their co-operation, effective exercise of the right to development for every individual human being and for all human beings taken together, the developed countries undertake, within the limits of their resources, to provide appropriate assistance to the most disadvantaged countries, in the interests of greater economic and social justice.];

II

1. (a) [Every State should allow and promote popular involvement in the development process and carry out the economic and social reforms it requires.];

(b) Priority should be given to the integration of women into the development process, and their equality of rights should be ensured and made effective;

2. [While respecting at all times fundamental freedoms, local and national action should, as a matter of priority, focus on the elimination of obstacles to development resulting from a non-observance of generally accepted national and international standards in respect of education, employment, equitable distribution of income, food, health, housing, information and participation, as well as on the eradication of apartheid and of discrimination as to race, sex, language or religion.];

3. (a) [The realization of the right to development involves, at the national level, the formulation, adoption and implementation of policy, legislative, administrative and other measures.];

(b) [These measures should promote and protect at all times the fulfilment of the rights and fundamental freedoms set forth in the Universal Declaration of Human Rights and the International Covenants on Human Rights.];

4. [The effectiveness of measures at the national level should be promoted and secured by, inter alia, adequate mobilization of domestic resources, information, participation and equality of opportunity of all with regard to development and a fair distribution of the benefits from development, taking into account the specific needs of disadvantaged groups.];

5. [The means for the realization of the right to development at national level are:

(a) Granting of the equality of opportunity of all in the access to basic resources, to education, medical care and other services, and adoption of urgent steps to realization of the same;

(b) Participation of all in decision making for development -- particularly the participation of workers in management -- as well as in voluntary execution of decisions and in fair distribution of the benefits resulting from development;

(c) Sustained efforts towards eradication of social injustices and provision of positive assistance particularly to disadvantaged groups, women and minorities;

(d) Promotion of local initiative in the development process; and

(e) Respect for political and civil rights.];

6. [For the right to development to be realized it is necessary to eliminate violations by States of the human rights of their citizens including denial of: periodic and genuine elections, freedom of movement including the right to leave any country, freedom of opinion and expression, freedom of thought, conscience and religion, freedom of peaceful assembly and association and freedom to form and to join trade unions.];

7. [Participation of all in the implementation of the right to development includes, inter alia:

(a) The right of every State to choose the institutions, policies and measures for popular participation which are best suited to its circumstances, taking into account its over-all economic, social and national context;

(b) The duty of every State to provide a comprehensive framework for popular participation in development;

(c) The State should formulate specific programmes in the key areas of participation such as participation in management and self-management in the public sector, local government and decentralization of decision-making, participation of specific groups including ethnic, racial and linguistic minorities and effective measures for the adequate participation of women in development;

(d) The State should increasingly involve trade unions, non-governmental organizations, community and civic groups, as well as all segments of society to promote popular participation.];

8. [For the purpose of the effective realization, individually or collectively, of the right to development the developed countries must accelerate the transference of resources to the developing countries and ensure to the latter favourable conditions in the fields of economy, trade and scientific exchange.];

9. [Realization of the right to development, particularly in its cultural dimension, calls for the mobilization of national and international means for the preservation of cultural and historical relics and for the return to the country of origin of cultural property which has been plundered or acquired unlawfully.];

III

1. [The right to development requires at the national level the full participation of women in social, political and cultural life.];

2. [For the implementation of his right to development everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal and everyone has the right to an effective remedy by national tribunals for acts violating his rights.];

3. [The full enjoyment of the right to development requires expansion of efforts directed at guaranteeing the rights of everyone to live in peace and security, including the adoption of practical measures essential to achieving disarmament.];

IV

1. [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.];

2. [The implementation of the right to development could require foreign investments that are compatible with national priorities and legislation. States interested in foreign investment should make efforts to create and maintain a favourable investment climate in the framework of their national plans and policies.];

3. [Measures must be taken at the national and international levels to prevent transnational corporations and other interest groups from collaborating with regimes which practice policies of coercion, such as colonialism, apartheid, racial discrimination, neocolonialism or any form of foreign aggression, occupation or domination. States must refrain from promoting or encouraging investments which may constitute an obstacle to the liberation of a territory occupied by force.];

Part III

General Provisions

1. [Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of the rights set forth in the Universal Declaration of Human Rights and the International Covenants on Human Rights and the rights and duties of States, embodied in the Charter of the United Nations and related international conventions.];

2. [The United Nations, the specialized agencies, States and non-governmental organizations should co-operate in promoting and implementing the right to development as a human right and equality of opportunity for development as a prerogative of nations and individuals who make up nations.];

3. [Emphasizes the need to pursue endeavours to ensure progressive codification of the right to development, in which regard this Declaration is a significant step.];

4. [Nothing in this Declaration may in any way prejudice the right to self-determination, freedom and independence of peoples deprived of this right by force, particularly peoples subjected to colonial or racist regimes or to other forms of foreign domination, and the right of those same peoples to struggle to that end and to seek and receive support, in keeping with the principles of the Charter of the United Nations.].