COMMISSION ON HUMAN RIGHTS

Forty-fourth session

SUMMARY RECORD OF THE FIRST PART */ OF THE 24th MEETING

Held at the Palais des Nations, Geneva, on Wednesday, 17 February 1988, at 3 p.m.

Chairman: Mr. SENE (Senegal)

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Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

*/ The summary record of the second part of the meeting appears as document E/CN.4/1988/SR.24/Add.1.

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Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.
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The meeting was called to order at 3.20 p.m.

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING:

(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; THE RIGHT TO DEVELOPMENT

(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS


STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (agenda item 18) (continued) (E/CN.4/1988/37, chapter 1, section A, draft resolution I; A/42/450; E/C.12/1988/1; CCPR/C/2/Rev.1)

1. Mr. ROBERTSON (Observer for Australia) said that the Universal Declaration of Human Rights and the two International Covenants on Human Rights were the legal and moral centre-piece of the Commission's mandate. While the rights recognized in the Covenants might require distinctive presentations in view of local traditions and situations, their universal application and relevance was beyond question. The equality of the two Covenants was also beyond dispute and the rights recognized in them were interrelated and indivisible, so that protection of one category of rights should never exempt States from protection of the other category. His delegation did not believe that the rights recognized in the International Covenant on Economic, Social and Cultural Rights were merely declarations of government policy. The States parties to that Covenant and the Committee charged with monitoring its implementation should consider identifying specific criteria to measure performance in carrying out the responsibilities recognized in the Covenant. Such an assessment ought to be possible, for example, in respect of the right to adequate food, as recognized in article 11 of the Covenant. In his excellent report on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23), the Special Rapporteur of the Sub-Commission recommended better co-ordination between the specialized agencies, other organs dealing with food-related matters and the human rights bodies of the United Nations. That practical proposal could contribute to the realization of an essential right recognized in the Covenant.

2. The important issue of development was an urgent challenge to the international community and above all to the Member States of the United Nations. Even if it was primarily the responsibility of Governments to implement programmes and policies of economic and social development, as most recently recognized in the Declaration on the Right to Development, the international community had a duty to support those efforts. The battle
against poverty was inextricably linked to the effective realization of all the rights recognized in the Covenants. While poverty was not a violation of human rights, it was certainly an obstacle to the enjoyment of such rights and it resulted to a large extent from the denial of specific rights. The right to development implied the more effective implementation of the rights recognized in the International Covenant on Economic, Social and Cultural Rights and of the Declaration on the Right to Development and it was related to the implementation of all the individual rights recognized in the Covenants, as well as to the satisfaction of the basic needs of society, in particular those of the most vulnerable groups and individuals. Thus, national development policies should include measures specifically aimed at such groups and individuals, with a view to preventing all forms of discrimination.

3. Regarding the practical application of the Declaration on the Right to Development, the Commission might well be guided by article 22 of the International Covenant on Economic, Social and Cultural Rights, which recognized the need for international co-operation in that area. On that point, his delegation felt that the Working Group of Governmental Experts on the Right to Development had been right to emphasize in its report (E/CN.4/1988/10) the need for broad dissemination of the Declaration and a phased approach to its implementation. The Working Group also focused on the responsibility of States to ensure equality of opportunity for all in their access to basic resources - education, health services, food, housing and employment - a fair distribution of income and an active role for women in the development process (loc. cit., para. 42.8).

4. Considering the importance of the International Covenant on Economic, Social and Cultural Rights for the realization of the Declaration on the Right to Development, his country supported the activities of the Committee on Economic, Social and Cultural Rights, the body set up to monitor implementation of that instrument. The members of the Committee, who had adopted a serious approach to their mandate at their first session the previous year, should be encouraged to provide impetus for the more effective realization of the rights recognized in the Covenant. The Committee should consider the preparation of comprehensive guidelines for its work, including the drafting of general comments similar to those being established by the Human Rights Committee. It would also do well to co-ordinate its activities with those of United Nations bodies dealing with related issues and, in particular, development issues. Lastly, it would be desirable to increase public awareness of the Committee's activities, while not forgetting the role that non-governmental organizations could play in that regard.

5. His delegation deplored the fact that the annotated provisional agenda of the current session (E/CN.4/1988/1/Add.1) did not include, under agenda item 8, Commission resolution 1987/20, which had been submitted by Australia. That omission should be rectified by the Secretariat.

6. Although agenda items 8 and 18 contained various complex elements, a co-ordinated approach to all of their aspects was nevertheless justified. His country trusted that the Commission was willing to make every effort to improve the lot of the countless individuals who were deprived of the rights on which attention was being focused during the current debate.
7. Mr. YOUSSIF (Iraq) said that his delegation had read with interest the documents relating to the question of the right to development, in particular the analytical compilation of comments and views on the implementation of the Declaration on the Right to Development prepared by the Secretary-General and the report of the Secretary-General on problems related to the right to enjoy an adequate standard of living (E/CN.4/AC.39/1988/L.2 and E/CN.4/1988/9). His country was anxious to co-operate with the United Nations and had replied as fully as possible to the Secretary-General's questionnaire on the implementation of the right to development. It therefore regretted that its reply, referred to in paragraph 2 of the analytical compilation, had not been duly reflected in document E/CN.4/1988/9. His delegation requested that a special addendum should be issued to rectify that omission.

8. As far as comments and views on the implementation of the Declaration on the Right to Development were concerned, Iraq had endeavoured to reply to the questionnaire in accordance with the guidelines provided, giving emphasis to factors affecting the realization of the right to development, such as the exercise of the right to self-determination, international peace and security, the relationship between disarmament and development and the question of a new international economic order. Iraq believed that global negotiations between States should be held as soon as possible for the purpose of giving effect to the Declaration. There was a relationship between development and peace, as well as between hostilities and obstacles to development, a fact that had been underlined at the International Conference on the Relationship between Disarmament and Development held in New York during the summer of 1987. It should also be emphasized that the developing countries must have access to appropriate transfers of technology.

9. However, development encompassed more than just economic aspects and must be concerned in global terms so as to ensure that all individuals were guaranteed economic, social and cultural rights and civil and political rights, those two categories of rights being interrelated. The Government of Iraq also considered popular participation to be an important factor in the full realization of all human rights and that principle was applied in Iraq through the people's organizations.

10. With regard to the question of the right to development, mention should also be made of the pioneering role played by the delegation of Senegal, which several years earlier had already expressed its view of that concept. As the right to development had many dimensions, the parties concerned might adopt different positions in that regard.

11. In the current world economic situation, it was clear that many peoples could not exercise their right to development and that the prevailing economic system had instituted underdevelopment rather than development and had reduced peoples to a state of dependence. The statistics published in that regard were truly harrowing. All developed countries should undertake to restructure the international economy in order to create the necessary favourable conditions. The documents of the United Nations Conference on Trade and Development and the World Bank showed that the developed countries represented only 26% of the world's population yet accounted for 78% of world output, 81% of energy consumption, 70% of fertilizer consumption, 85% of the number of tractors used, 88% of existing iron mines and 87% of arms production. The developing countries' external debt had assumed enormous proportions. A number of developing countries had been seriously affected by the fall in the
rate of the dollar and the price of oil in 1986. According to a report on the
economy of the Arab countries published by the Arab Money Fund in 1987, the
economic situation of countries in the Arab world had deteriorated,
particularly in the case of the oil-producing countries. The gross national
product of those countries had fallen by 0.8% in 1985, while their population
had increased by 3%. As a result, between 1980 and 1987, per capita income in
those countries had fallen more than 20% and by as much as 34% in the
petroleum-exporting countries. That very dangerous trend must be understood
by the international community and corrected, for, otherwise the world would
in future be faced with extremely serious crises and conflicts.

12. His delegation welcomed the report of the Working Group of Governmental
Experts on the Right to Development on the work of its eleventh session
(E/CN.4/1988/10) and supported in particular the measures recommended by the
Group of Experts in paragraph 42.8 of the report, which provided for continued
study of that question.

13. Regarding the status of the Covenants, he recalled that Iraq was a party
to the International Covenants on Human Rights, as well as to the
International Convention on the Elimination of All Forms of Racial
Discrimination, the International Convention on the Suppression and Punishment
of the Crime of Apartheid and the Convention on the Elimination of All Forms
of Discrimination against Women. As part of its efforts to apply those
international instruments and to co-operate with the United Nations in that
field, his country had submitted its second periodic report on the
implementation of the International Covenant on Civil and Political Rights to
the Human Rights Committee, which had considered the report at its session in
July 1987. It also intended to submit a report on the prevention of
discrimination against women. While his country endeavoured to respect the
deadlines for the submission of reports, it noted that the late submission of
reports by some countries prevented the United Nations from discharging its
responsibilities properly in that regard. The Secretariat could perhaps send
those States a questionnaire requesting them to indicate the difficulties they
were encountering in the preparation of reports. In addition, those States
might take advantage of the programme of advisory services in that field of
human rights, which could assist them in training staff and acquiring the
necessary know-how. The entry into force of those international instruments
was an important stage in the protection and promotion of human rights and the
activities of the human rights bodies should be co-ordinated through
appropriate machinery.

14. Mr. RIETJENS (Belgium) observed that, during the discussion held each
year on items 8 and 18, two viewpoints were put forward: some States, while
referring to the principle of the unity of all human rights, sought to
highlight one category of rights, especially economic, social and cultural
rights while others emphasized the importance of civil and political rights.
However, the time had come to overcome that sterile conflict in the spirit of
the third preambular paragraph of the two Covenants, which stated that, in
accordance with the Universal Declaration of Human Rights, the ideal of free
human beings could be achieved only under conditions whereby everyone might
enjoy his civil and political rights, as well as his economic, social and
cultural rights. In that connection, the former president of the
Parliamentary Assembly of the Council of Europe, Mr. de Koster, had stated
several years previously that Western Europe had rejected any hierarchical
distinction between economic and social rights and civil and political rights, since those two categories of rights were seen as equally important and indivisible.

15. Within the United Nations, States had given legal expression to those rights by means of two separate Covenants that were different in scope. The International Covenant on Civil and Political Rights set out a list of rights which related directly to the human person and which States undertook to respect and safeguard. The International Covenant on Economic, Social and Cultural Rights amounted to an act of recognition, by States parties, of a number of rights whose full realization they undertook to achieve progressively by all appropriate means. In other words, a distinction between those two categories of rights was in no way based on any hierarchy or even less on a set of values vis-à-vis individuals. The distinction arose quite simply from the different kinds of legal machinery which States had to use to implement those rights. Whereas in the case of civil and political rights, the role of the State was essentially not to interfere arbitrarily, but to protect the individual against arbitrariness, in the case of economic, social and cultural rights its task was much harder, since every citizen expected it to adopt positive measures — indeed a programme of action — to respond to his basic needs. It was therefore true that the enjoyment of economic, social and cultural rights depended largely on the level of development of each State, whereas the enjoyment of civil and political rights depended primarily on the political will of Governments.

16. Likewise, a clear distinction had to be made between the obstacles to the enjoyment of each particular category of rights. If, in some situations, civil and political rights were not respected, the State responsible must not look for excuses or supporting arguments, but should first examine its own conscience and correct its behaviour. The State must therefore never use the argument of inadequate economic development as a pretext for failure to respect the rights of its citizens, for any attack on their physical and moral integrity or for interference with their privacy or their fundamental freedoms. On the other hand, it was true that the level of development of a State and, in particular, the availability of the necessary resources affected that State's ability to guarantee the enjoyment of economic, social and cultural rights for its citizens.

17. In view of the obstacles encountered in that regard, his Government advocated international co-operation aimed at alleviating the shortage of resources. Belgium was one of the six countries which provided the largest amount of assistance to developing countries as a percentage of gross national product and the European Community, of which it was a member, had already been contributing for many years to the efforts of the developing world. In addition to the Lomé III Convention, concluded with the African, Caribbean and Pacific countries, the European Community had more than 10 years earlier established co-operation agreements with countries of the Mediterranean, South East Asia, Central America and the Andes.

18. When the General Assembly had adopted the Declaration on the Right to Development in December 1986, Belgium had supported the Declaration, pointing out that it dealt with an alienable right whose ultimate beneficiary must be the individual. Belgium had repeatedly stated that the concept of development implied not only economic and material well-being, but also the complete physical, moral, intellectual and cultural fulfilment of the individual. International solidarity must therefore give rise at the national level to a
more equitable distribution of wealth and the national economic order must not be based on the maintenance of privileges by an ethnic or bureaucratic oligarchy: it was in that respect that popular participation, as an expression of the will of the members of society, took on its full meaning.

19. The analytical compilation of comments and views on the implementation of the Declaration and the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/AC.39/1988/L.2 and E/CN.4/1988/10) showed that only a few Governments had thus far presented their views on the question. In its explanation of vote on Commission resolution 1987/23, his delegation had emphasized the need to give States more time to study the Declaration in detail before communicating their comments. The document considered by the Working Group was based on too few replies to constitute a representative sample. His delegation continued to regret that it had not been possible for the Declaration to be adopted by consensus, thus proving that it reflected the opinion of the international community, which was a prerequisite for its effective implementation. Consensus in that regard must be sought during future work and the time had come to expand participation in the Working Group to ensure a broader expression of views and a greater contribution by all States.

20. It could never be stressed enough that the rights set forth in the Covenants were of a universal and global nature and must be guaranteed to all without discrimination of any kind. For that reason, his delegation was increasingly concerned by the trend in the last few years to seek to establish specific human rights for certain categories of persons. It was also concerned by the increase in standard-setting activities which were not always properly co-ordinated and had led to a profusion of texts and rights defined in different ways and applied by different bodies. Those two developments were likely to undermine the universal and fundamental nature of the two Covenants and to restrict the scope of the rights for which they provided. Belgium therefore attached great importance to General Assembly resolution 41/120, which contained guidelines for the setting of international standards in the field of human rights, and to Commission resolution 1987/24, which requested that those guidelines should be duly taken into account by the working groups that were developing new instruments. Lastly, his delegation invited the members of the Commission to explore the possibility of drafting additional protocols to the Covenants, rather than separate conventions, whenever that approach might be useful and appropriate.

21. The CHAIRMAN informed the Observer for Australia and the delegation of Iraq that the Secretariat would take account of their comments regarding documentation.

22. Mr. DELGADO BARRETO (Peru) said that, in all known societies since the dawn of civilization, poverty had been the structural basis for human rights violations. It was an undeniable fact that, even in primitive societies, the exercise of despotic power by a minority of the population inevitably led to resistance by the exploited or disadvantaged majority, which, if it did not have the means to take power, was subjected to draconian measures of repression, injustice and violence. Nevertheless, it was amidst great social upheavals, such as the French Revolution, that the industrialized societies had come into being, heralding a less unjust European order and recognizing the self-evident principle that men not only were, but must be equal.
23. It was therefore clear that human rights, like social life, formed an indivisible whole; no right had its own independent reality. The great revolutions had not only given birth to democratic institutions, but had also paved the way for material development that made it possible to accumulate more wealth and distribute it more equally to meet the needs of a larger number of human beings. With the industrial revolution, the history of the industrialized countries had coincided in brutal fashion with that of the developing countries through the process of colonialism, which had led to plundering and power politics, had subsequently been transformed into neo-colonialism and had finally resulted in a situation today where the world of opulence confronted the world of poverty.

24. There was no region in the world where human rights violations were not being committed to one extent or another. Some violations were the result of social conflicts and many stemmed from the despotic exercise of power. The question was why the developing countries experienced the most systematic violations of human rights and witnessed more than 90% of the armed conflicts which had broken out since the last war. The reason was that the industrialized countries intervened directly or indirectly in the third world countries to block social change. There was no other explanation for the fact that the Security Council was never convened to consider intervention by a developing country in an industrialized country, that it was inconceivable that the economic policies of a developing country should cause recession in the developed countries, that the total amount of loans granted by the World Bank and the International Monetary Fund (IMF) to the developing countries was smaller than the payments relating to interest and capital which they received to service the external debt and, lastly, that peoples of the third world were prevented, often by force, from exercising their right to self-determination by powers which, solely in pursuit of their own economic and strategic interests, were preventing newly installed Governments from making the necessary social changes to overcome inequalities, democratize society and create a social climate conducive to respect for human rights. It was hardly surprising, therefore, to see the emergence of the doctrine of so-called national security - national security outweighing and justifying everything else - as the source of the most serious violations of political, economic and social rights.

25. The interrelationship between respect for the political, economic and social rights of peoples and respect for individual rights and freedoms was undeniable and violations of all those rights without exception must be combated, at both the national and the international levels. It was important to establish the responsibility of those who, by their economic policies and power politics, changed the course of internal situations leading to gross violations of human rights, as well as the responsibility of those who maintained an unjust international economic order and imposed economic adjustments and measures that were detrimental to the peoples concerned.

26. Since the 1970s, theories of economic policy aimed at satisfying basic needs, reducing poverty and expanding social services had been supplanted by a desire to apply hard-line economic policies, reducing all problems to the search for a solution to balance-of-payments deficits and making adjustment processes an end in themselves. The figures given by an impartial source, UNICEF, said a great deal about the results of such economic logic; in 1975, the GDP growth rate per capita had been negative for 718 million inhabitants of the third world and 84% of the population of Africa. As a result, poverty, infant mortality and malnutrition had worsened, life expectancy had become
shorter, unemployment and underemployment had increased and medical, health care, education and recreation services had fallen to unprecedented levels. However, the question to be asked was whether the poorer countries, whose economic resources were extremely limited, could afford to promote individual well-being. The answer was in the affirmative. Every State had a moral and legal obligation to protect the fundamental rights of its people and, in the case of absolute poverty, it was the right to life itself that had to be protected. The IMF and the other international financial institutions, together with the international community as a whole, therefore had to tackle the problem of external debt and international economic relations in a way that was compatible with the two International Covenants on Human Rights, which in article 1 in both cases proclaimed the right of all peoples freely to determine their political status and freely to pursue their economic, social and cultural development. Foreign intervention, economic boycotts and the use or threat of force had to be stopped. There was also a need to end certain debt-servicing arrangements and the reverse transfer of resources, which deprived the Governments of the developing countries of the necessary resources to provide for the basic needs of their people, a situation that constituted a violation of the International Covenant on Economic, Social and Cultural Rights. Lastly, there was a need to put an end to orthodox adjustment policies and the rules of conditionality which were imposed by the IMF, aggravated poverty, hunger, child malnutrition and mortality and were incompatible with article 11 of the Covenant.

27. His delegation remained convinced that human rights must be protected as a whole. Efforts must be aimed at protecting prisoners of conscience, abolishing the death penalty throughout the world, stopping summary executions, prohibiting torture and cruel or degrading treatment, and also at bringing an end to the unjust world economic order, which contributed to the violation of fundamental rights and freedoms. It was important to stop violations of the International Covenant on Economic, Social and Cultural Rights and to end the structural violence inherent in the existing system and the prevalence of a purely economic concept of development. Economics must again serve human beings and become simply a means of satisfying the needs of man by paving the way for the establishment of a more just new economic order.

28. Mr. SCOTT (United States of America) said that, although there were some differences between the category of civil and political rights and that of economic, social and cultural rights, there were also some points in common. No State, in pursuit of whatever aim, could legitimately restrict the right to speak and to act peacefully in accordance with one’s beliefs.

29. The individual must remain at the centre of the quest for human rights. Economic, social and cultural rights which focused on groups, societies and nations rather than on the individual missed the mark. As in the sphere of civil and political rights, the individual remained the prime source of economic, cultural and social progress. It was almost universally recognized today that individual creativity was the true mainspring of vitality in the economic and social spheres. In his country, measures taken to free the general public from governmental interference in their daily lives had led to the longest period of uninterrupted economic growth in decades. In the developing world, more and more countries were abolishing government regulation as a way of stimulating citizens and the private sector to create, produce and contribute to growth. Even the planned-economy countries of Eastern Europe were increasingly recognizing that liberalization was the key
to growth and prosperity. There was growing awareness that economic and social progress itself was the result, and not the cause, of respect for political and civil freedoms.

30. Democracy and development went hand in hand and it was no coincidence that those countries in which respect for human rights was strongest also showed the greatest economic vitality. Where two nations had similar histories and cultures, it was the one that adopted a system of respect for public freedoms that also prospered far better. For example, the Federal Republic of Germany, whose people enjoyed broad political freedom, had achieved greater economic and social progress than the totalitarian German Democratic Republic. Austria could similarly be compared with its eastern neighbours. Countries which freed the human spirit to create, build and offer their people an opportunity to take part in decision-making and a personal stake in their economic destiny had become prosperous, progressive and dynamic.

31. Economic and social progress was and should be the goal of all countries, but to equate a policy goal with efforts to achieve fundamental political and civil rights was mistaken and distracted the attention of the Commission.

32. His delegation nevertheless recognized that, in some cases, there was a link between development assistance and the protection of human rights; for example, the United States was making very large contributions to the Southern African Development Co-ordination Conference to assist the countries of southern Africa in becoming less dependent on the economy or whims of the South African régime.

33. However, efforts with regard to development and humanitarian assistance should not be confused with the so-called "right to development". No nation had an inherent right to development. Governments had the obligation to their people to pursue sound economic policies leading to growth and development. Those which had failed in the past decade to provide ample growth had not violated anyone's rights; they had committed no crime; they were guilty only of making bad decisions and, consequently, it was for the dissatisfied population to elect other leaders. To equate poor political leadership with violations of human rights perverted the entire concept of respect for human rights and fundamental freedoms. The key to economic growth lay in full respect for civil and political rights and democratic institutions.

34. On the topic of popular participation (agenda item 8 (c)), he was convinced that the best way to guarantee the participation of the entire population in the exercise of political and civil rights was to hold free elections and ensure the freedom and independence of the press. The Commission should pay more attention to both of those issues and call for the elimination of all laws which sought to restrict the freedom and independence of the media; it should also call for a study on the implementation of the provisions of the Universal Declaration of Human Rights relating to the holding of free and periodic elections.

35. The United States attached great importance to the right to own property, as enshrined in the Universal Declaration of Human Rights. The exercise of that individual civil right was an essential safeguard against tyranny, since it represented the protective circle that permitted the individual and his fellow citizens to keep the powerful forces of the State from encroaching on his inherent rights and freedoms. Although essential in and of itself, that
right was also of instrumental value for economic and social progress, since
the effective use of property helped to create wealth, which itself led to
economic and social development for a nation as a whole. Since the abolition
of feudalism, private property had become a fundamental facet of any free
society.

36. His delegation reiterated its view that the dignity of the individual was
the centre-piece of respect for human rights, and it hoped that discussion of
important economic, cultural and social issues would not diminish the
Commission's central focus.

37. Mrs. KLEOPA (Cyprus), referring to agenda item 18, said that the two
International Covenants on Human Rights, were of crucial importance, for they
were comprehensive binding legal instruments that were recognized by States
with very different social, political and economic systems and they reflected
the international community's acceptance of the universal nature of human
rights.

38. The report by the Secretary-General (A/42/450) showed that the
International Covenant on Economic, Social and Cultural Rights had been
ratified or acceded to by 90 States, the International Covenant on Civil and
Political Rights, by 86 States, and the Optional Protocol, by 39 States;
their universal acceptance, as called for by the General Assembly and the
Commission on Human Rights, was thus still a target to be achieved. In any
event, universal acceptance of human rights instruments would serve no purpose
unless those instruments were fully implemented. No effort should be spared
until every human being throughout the world fully enjoyed his human rights
without discrimination of any kind. The provisions of the Covenants had to be
given practical effect in order to eliminate suffering resulting from human
rights violations.

39. In that connection, her delegation commended the work of the Human Rights
Committee set up to monitor the implementation of the International Covenant
on Civil and Political Rights. It was to the Committee's credit that a number
of States had introduced changes in their laws and practices following
suggestions made during the consideration of their reports. The Committee's
general comments, suggestions and recommendations made an invaluable
contribution to efforts aimed at guaranteeing every person the full exercise
of the rights provided for in the Covenant. The Committee on Economic, Social
and Cultural Rights was also making a substantial contribution to the common
cause of the protection of human rights and it was to be hoped that those two
bodies would co-operate and share their experience. Her delegation trusted
that financial constraints would not prevent the two Committees from carrying
out the mandates entrusted to them.

40. In conclusion, her delegation was convinced that the advancement of the
cause of human rights would contribute substantially to peace, justice,
freedom and democracy.

41. Mr. MUJYANAMA (Rwanda) said that, for the majority of mankind, whose lot
had always been poverty, disease and ignorance, the rights provided for in
article 1, as well as in articles 25 (para. 1), 27 (para. 1) and 28, of the
Universal Declaration of Human Rights were still pipe dreams. At its
forty-fourth session, which was taking place during the year of the fortieth
anniversary of the Universal Declaration, the Commission should be more
concerned than ever with the particularly difficult conditions that existed in
a number of countries whose population still lived below the poverty line.
42. Although the United Nations General Assembly had often stated that the right to development was an inalienable human right, problems such as financial market instability, the worsening of terms of trade, the stagnant raw materials market and the indebtedness of the poorer countries continued to hamper the realization of that right. His delegation, which was convinced of the interdependence of human rights and development, stressed that it was the responsibility of all Member States of the United Nations to fulfil their obligations under the United Nations Charter and, in particular, Article 1, paragraph 3, thereof.

43. As long as poverty, hunger, disease and ignorance still existed in any part of the world, there could be no genuine peace or full enjoyment of human rights by all. Many cases of human rights violations were the result of glaring inequalities between peoples, of the denial of the dignity and worth of the human being and of non-respect for the principle of the equality of nations. The Commission on Human Rights should therefore focus its attention on lasting measures to give fresh impetus to international co-operation in order to guarantee rapid growth in third world countries, increased financial flows on their behalf, more balanced trade and an equitable solution to the debt problem.

44. In that connection, his delegation reaffirmed its confidence in the United Nations Programme of Action for African Economic Recovery and Development, 1986-1990, and expressed its gratitude to the States which had undertaken to provide support for the efforts the African countries were making.

45. The right to development also meant that the States concerned had to agree to take steps to promote the transfer of scientific and technological know-how to the developing countries, which would thus be able to speed up the implementation of economic and social rights by giving the population a more active role to play, as Rwanda was already doing. At present, however, it was estimated that less than 1% of scientific know-how was being devoted to development problems. The Commission on Human Rights should try to determine the reasons for that imbalance and find ways of encouraging the scientific community to devote more of its time and attention to the problems of poverty, development and the environment.

46. Although scientific and technological advances created high hopes for the economy, standards of living, disaster prevention, energy, environmental protection and disease control, they could also be used for destructive purposes. His delegation therefore requested that a study should be prepared on the way in which scientific know-how was obtained, processed, disseminated and used, as well as on its impact on human rights. The Commission, together with the competent United Nations bodies and the specialized agencies, should give some thought to the establishment of international machinery to evaluate new technologies and issue warnings about the real dangers involved in some technological advances, such as atomic radiation, new acoustical and optical monitoring devices and methods that could be used to invade the privacy of individuals and the sovereignty of States, pre-natal diagnosis methods and the use of chemicals at all stages in the food production and distribution chain. It might be useful to monitor uses of scientific and technological advances that appeared to threaten human rights.
47. In the same spirit, his delegation reaffirmed its position in favour of the gradual cessation of the arms race and of disarmament allowing the financial resources thus made available to be used to promote the enjoyment of economic and social rights by the peoples of all countries and, in particular, the developing countries.

48. Mr. ZIVS (Union of Soviet Socialist Republics) said that his country was in favour of the expansion and broadening of constructive international co-operation to implement human rights on the basis of unconditional respect for the principles of the Charter of the United Nations and the other relevant international instruments. The fortieth anniversary of the Declaration in which the international community had proclaimed universal standards of human rights and the indivisibility of all those rights would, moreover, be celebrated in 1988. His delegation was convinced that the adoption of the Universal Declaration had to be confirmed and strengthened by the accession of all States to the International Covenants and by compliance with their provisions in all parts of the world, for, otherwise, those instruments would be abstract and not at all convincing.

49. The fact that some 90 States from all parts of the world and with different political and social systems were now parties to the Covenants was evidence both of determination to defend human rights and of interest in the expansion of international co-operation. However, some States, which regarded themselves as the authors of the Universal Declaration, refused to accede to the International Covenants and to recognize human rights in their entirety. That was a definite obstacle to the broadening of international co-operation, for such an attitude undermined the universality and effectiveness of the system of relevant international standards and principles. His delegation therefore called for the broadest possible participation in the International Covenants and the other instruments for the elimination of racial discrimination, torture, genocide and apartheid. His country was a party to all those international instruments, which served as a basis for international co-operation. It was, moreover, opposed to any selective approach to human rights, to any grading of such rights and to the establishment of any artificial and arbitrary distinction between any two categories of rights.

50. In 1987, his Government had again done a great deal to broaden and complete the range of human rights enjoyed by the Soviet people; it was nevertheless aware that much still had to be done and would not claim that its approach was the only acceptable one, since it also benefited from the experience of other countries. In that connection, there was no ideal situation and no exemplary State and international co-operation had to contribute to the enrichment of all.

51. The process of democratization now under way in his country was designed to rid the socialist régime of any past deformations, as demonstrated by the new legislative measures that had been adopted and by the practice of administrative and judicial bodies. A number of political leaders who had been arbitrarily sentenced in the late 1930s, at the height of the Stalin personality cult, had now been legally rehabilitated. In January 1988, a new procedure for the lodging of complaints with the judicial administration had entered into force and could be used by the victims of errors committed by Government agents. The legislation also provided for further legal guarantees against unjustified internment in psychiatric hospitals. The Penal Code was now under review and many acts had been "decriminalized". The policy of glasnost was also leading to increased participation by citizens in the
implementation of human rights, a trend that was the direct result of Lenin's teachings. Since 1 January 1988, the role of workers in State enterprises had also been strengthened; they had new responsibilities in the management of the economy and exercised their economic and social rights on an individual basis.

52. Although it would be impossible to enumerate all the legislation relating to the restructuring of the system, such an undertaking would in itself not be enough, for it would also be necessary to develop a new type of contractual relations, establish a dialogue, display greater tolerance and re-examine the implementation of human rights. Practices relating to freedom of expression had in fact been liberalized and, although article 190 of the Penal Code had not yet been repealed, it had not been applied in 1987. The idea of social justice aimed at eliminating the advantages that some persons might enjoy was being increasingly firmly upheld. The policy of glasnost had also led to growing public interest in the media, as shown by the spectacular increase in newspaper circulation in the past year. Such basic changes were not to the liking of all countries, some of which were trying to minimize their importance by describing them as "window dressing".

53. The implementation of the two International Covenants depended primarily on international efforts to promote the development of the developing countries and guarantee the survival of mankind by averting the nuclear danger. There was growing awareness of how archaic confrontation was and how unproductive it could be in terms of human rights. As a beginning, moreover, certain steps had to be taken and his delegation therefore appealed to countries which were not yet parties to the International Covenants to reconsider their position.

54. Mr. SUKUL (India) said that the adoption of the Declaration on the Right to Development had been important in two respects: it had been a step forward in the recognition of that right and there had been nearly unanimous support for it on the part of the Member States of the United Nations - a positive sign for future work on the implementation of the Declaration. His delegation's emphasis on the right to development was in no way motivated by a desire to make political rights contingent upon economic, social and cultural rights. It would, after all, be a mockery to speak of freedom of expression to a man who was homeless and hungry. His delegation stressed the importance of the right to development not in order to justify putting fetters on the man's feet, but in order to recognize his right to a decent life. If he was unable to feed and clothe himself, how could he assert any of his fundamental rights?

55. Just as political freedom and economic and social progress were inseparable, so peace and development were interrelated. There could be no peace so long as social and economic disparities between and within nations continued to widen. Recent events had shown how the economic crisis, which had originated in the industrialized countries, had created even more serious problems in the developing countries. The crisis had created constraints for the former, but it had threatened the very basis of the existence of the latter, particularly because it bred political instability, which in turn undermined civil and political rights.
56. In his Government's opinion, priority should be given to the dissemination of the Declaration on the Right to Development in as many languages as possible so as to generate a broad-based debate among world public opinion. An analytical compendium might also be prepared on the basis of the provisions of other international instruments, national measures already in force to give effect to one or more provisions of the Declaration, important legal decisions having a bearing on the subject and writings by persons with practical experience in the matter.

57. Many of his country's constitutional and legislative provisions, judicial decisions and administrative measures relating to the right to development were in keeping with the provisions of the Declaration. A well-documented compilation would offer a useful basis for comparison and assist in the implementation of the provisions of the Declaration, particularly at the national level. Although his delegation supported the idea that the Declaration should be implemented gradually, that did not mean that the first steps should be only of a procedural and peripheral nature. The realization of the right to development was a vast undertaking requiring concerted national and international measures in the economic, social and political fields. Moreover, the Declaration identified some of those measures, on which near unanimity had been reached and which included the abolition of apartheid, the elimination of all forms of racial discrimination, the right of peoples to self-determination and full sovereignty over their natural resources, the protection of the environment and the identification of grossly disadvantaged groups requiring immediate recognition as special beneficiaries of the right to development. Those questions were being considered in other United Nations bodies, but the Commission should stress the urgent need for measures to eliminate those problems and to monitor progress in eliminating such obstacles to development.

58. The category of disadvantaged persons included women, minors, persons engaged in high-risk occupations, indigenous persons and refugees. The development process should not bypass that category of persons or take place at their expense. His country had launched a massive campaign to combat poverty which had made it possible to reduce the number of Indians living below the poverty line from 48% in 1980 to 37% in 1985. By the end of the 1980s, that percentage should drop to one quarter of the population. Agricultural growth had been one of the main reasons for that progress: food production had tripled from 50 million tons in 1947 to over 150 million tons in 1985-1986. Such progress also had to be accompanied by increased wage levels and job opportunities for poorer communities and households. The task ahead was a formidable one indeed.

59. The view had been expressed that the implementation of the Declaration was primarily the concern of the developing countries. His delegation was, however, convinced that the interests of developed and developing countries converged in that regard, for developed countries still had some pockets of underdevelopment. Moreover, economic and especially industrial development involved dangers for the population of the entire world: pollution, the deterioration of the environment, loss of identity as human beings, the breakdown of family relations, drug abuse, etc. Those problems should lead to more, and not less, co-operation between developed and developing countries.
60. The developing countries were increasingly committed to the promotion of the right to development as a human right, but the lack of resources prevented them from achieving that objective. The restructuring of the international financial and trade system to provide developing countries with access to international trade opportunities and financial resources had assumed critical importance. In that connection, the Commission could contribute to better understanding of the vital links between such restructuring and the realization of the right to development.

61. It was worth noting that the Working Group of Governmental Experts on the Right to Development had adopted by consensus its recommendations on new initiatives and possibilities for action by Governments and organizations and his delegation supported those recommendations (E/CN.4/1988/10, para. 42.5, p.11). It was obvious that the implementation of the Declaration was more a matter for Governments themselves than for the Working Group or the Commission, which could, however, study basic measures to promote the right to development and look into the codification of that right, its status in international law and in internal law and its integration into the programmes of work of other United Nations bodies.

62. Widely different views had been expressed with regard to the future of the Working Group of Governmental Experts; proposals had been made either to convert it into a co-ordinating agency to monitor the implementation of the Declaration or simply to abolish it altogether. His delegation considered that it would be wise to extend the Working Group's mandate, but the time had not yet come to set up an open-ended group, since expert attention was still required to interpret the provisions of the Declaration and guide Governments and international organizations in a relatively new area of human rights. However, the growing interest of Governments in the matter showed that consideration should be given to the possibility of expanding the Working Group's membership.

63. His Government appreciated the fact that the work of the Working Group of Governmental Experts and its contribution to the identification of the right to development as a human right had led to the adoption of the Declaration. It had an open mind about the Working Group's future mandate and responsibilities and was prepared to hold discussions to arrive at a mutually acceptable solution so that efforts would continue to be made to achieve the objectives of the Declaration.

64. Mrs. CASCO (Nicaragua), referring to agenda item 8, commended the two Committees set up to monitor implementation of the International Covenants and said it was an encouraging sign that there had been an increase in the number of States which had acceded to the Covenants. Since the adoption of the Universal Declaration of Human Rights, the codification of humanitarian law had proceeded apace and the international community now had very comprehensive international instruments that had also enriched the internal legislation of States parties. Respect for those instruments was a prerequisite for the maintenance of international peace and security.

65. In such circumstances, her delegation regretted the fact that the realization of human rights continued to be a pipe dream, particularly in the majority of third world countries, which were hard hit by world economic crises and outdated, weak and unsuitable economic, political, social and cultural structures characterized by domination, exploitation, colonialism, interference by third countries and past or present dictatorships.
66. With the fall of the Somoza dictatorship, which had held power for nearly half a century, Nicaragua had for the first time seen the possibility of building a society in which human rights and fundamental freedoms would be fully respected. Many measures had been taken for that purpose, including a successful literacy campaign, agrarian reform, the recovery of natural resources, the diversification of foreign trade and the adoption of an international policy of non-alignment. In keeping with civil and political rights, moreover, efforts had been made to help the rural population by building dwellings, dispensaries, schools and peoples' cultural centres, establishing trade unions and improving hospital and medical services.

67. Such efforts to build a peaceful, free, democratic and pluralist society had met with opposition from the interventionist policy of the most powerful country in the world. The Nicaraguan people was thus suffering the consequences of an unlawful, immoral and cruel war of aggression which had forced the Government, in accordance with article 4 of the International Covenant on Civil and Political Rights, to declare a state of emergency restricting the exercise of 12 of the 66 articles contained in the relevant chapter of the Constitution.

68. A new Constitution had been promulgated in the belief that it would strengthen institutions and the human rights provided for in the International Covenants, which, under article 46, were declared part of internal law. The Constitution had entered into force on 9 January 1987, after all sectors of society had been consulted. Over half of its 202 articles, which bore the stamp of humanism and solidarity, related in one way or another to human rights.

69. The basic principles which were embodied in chapter 1 of the Constitution and which provided guidelines for the interpretation and implementation of the rules relating to human rights were entirely in keeping with the type of society and State that Nicaragua was trying to build. The Constitution contained an organic part relating to the organization of powers, as well as a declarative part concerning the individual and social rights of the human person. Over one third of the Constitution was devoted to the enunciation of civil, political, social, economic and cultural rights. It also affirmed the autonomy of the indigenous communities of the Atlantic Coast. Legislative measures and political will were, however, not enough to guarantee the enjoyment of all human rights without exception; political and economic conditions also had a role to play.

70. The Nicaraguan Government's efforts to defend its sovereignty and self-determination and to protect the inalienable rights of the Nicaraguan people were being obstructed by the policy of force and aggression that was unfairly being used against it. After many attempts to find peaceful solutions to Central America's problems, the signature of the Esquipulas II Agreements and the adoption of the Declaration of Presidents of Central American States on 16 January 1988 were hopeful signs. That meant that the agreements contained in the "Procedures for the establishment of a stable and lasting peace in Central America" had to be implemented.

71. Nicaragua fully supported all the commitments made under those agreements. It had requested the member countries of the Contadora Group and its support group, several Western European countries and the Secretaries-General of the United Nations and OAS to continue monitoring the implementation of the agreements with regard to the Nicaraguan Government.
72. Nicaragua had implemented the agreements by taking its commitments even further and not asking for anything in return. It had fully accepted the report on the implementation of the agreements submitted by the International Monitoring and Follow-up Commission to the five Presidents of Central American States on 15 January in San José, Costa Rica. That Commission had also recognized, particularly in paragraph 15 of the conclusions to its report, that Nicaragua had fulfilled its obligations. Nicaragua had lifted the state of emergency, abolished the people's anti-Somoza courts, reduced the sentences of over 1,000 prisoners and promulgated an act extending the amnesty which had been in force since 1983. Full effect was thus being given to all the rights and guarantees provided for in its Constitution and in the relevant international instruments. The immoral and unlawful aggression to which the country was being subjected nevertheless continued and was growing worse, thereby preventing the peoples of Central America from moving in the direction of peace, progress and social development and from ensuring that the full enjoyment of human rights became a reality.

73. The Government of the United States of America had an historic opportunity to prove that it was committed to democracy and human rights by fulfilling its international obligations, complying with the will of the five Presidents of Central American States and implementing the peace agreements, the monitoring of which was the sole responsibility of the International Monitoring and Follow-up Commission.

74. It was only by working in favour of peace and development, respecting the international legal order and promoting relations of respect and equality that stable democracy could be established in Central America and the peoples of the Central American countries could enjoy their human rights. No Government became more democratic in time of war or when its security was threatened.

75. Her delegation appealed to the Government of the United States to put an end to its war of aggression against Nicaragua and stop hampering the peace process in Central America. If the United States Government had any difference of opinion with the Nicaraguan Government, it should agree to a frank and open dialogue with Nicaragua, wherever and whenever it would like.

76. Mr. Mezzalama (Italy), referring to agenda item 18, said it was a matter of concern that nearly half of the Member States of the United Nations had still not acceded to or ratified the International Covenants and other international human rights instruments. It had been over 20 years since the adoption of those instruments, however, and Member States had therefore had ample time to assess the impact of the rules embodied in the Covenants on the international community and should be able to overcome their hesitations. The international rules which applied to human rights, from the Universal Declaration to the latest instruments, had in fact been developing at a rapid pace and more and more frequently covered specific fields.

77. Taking account of the entire range of conventions, declarations and other instruments dealing with human rights, as well as the ones now under discussion, it could be said that all the most important and substantive rules embodied in the Covenants had become general principles accepted as quasi-universal rules. The Covenants had therefore become a central reference point and a standard of comparison for the entire international community in the field of human rights. Most of the rights of individuals and the duties of States embodied in the Covenants had been implicitly accepted; whether
such acceptance was fully consistent with the practice of States was an entirely different matter. In any event, many of the resolutions and other decisions adopted by the General Assembly and the Commission on Human Rights referred expressly to the principles and rules enunciated in the Covenants and States which were not parties to the Covenants endorsed them. Internationally protected human rights were therefore part of the universal legal conscience. Moreover, those international rules were widely referred to and applied in the legal systems of all States, whether or not they were parties to the Covenants.

78. The main question at issue was, therefore, why a substantial number of States had still not ratified the Covenants. Perhaps a solution might be to request States facing difficulties or delays in becoming parties to explain the nature of the problems that were preventing them from doing so, thereby enabling the Secretary-General to offer more specific assistance to States that requested it. As part of a policy of fuller information, the attention of States might also be drawn to the advantages the Covenants would offer if they became truly universal.

79. Another matter of concern for Member States was the need to ensure the strictest possible respect for all international rules relating to human rights. In that connection, his country was of the opinion that monitoring procedures should be reviewed in order to make them more effective and that new systems should be developed for the monitoring of the activities of States. Systematic and periodic information on the legislative, administrative and other measures adopted by States to implement the provisions of international instruments had to be provided so that the degree of compliance with those instruments could be ascertained and advice and assistance could be given to States. The reporting obligation was thus an essential element of the international system for the monitoring and promotion of human rights. Because of the proliferation of international instruments, however, that obligation was becoming an increasingly heavy burden for States and that was one reason for the sometimes critical delays in the submission of reports by States and in their consideration by the monitoring bodies. At its forty-second session, the General Assembly had adopted a resolution proposing a number of measures that could be taken by the Secretary-General and by States.

80. His delegation considered that the measures to be taken should aim at simplifying and rationalizing the procedures followed by States. To that end, the Secretary-General and the competent monitoring bodies should consider the possibility of requesting States to submit the required information by following a standard model in order to facilitate and expedite the consideration of reports and of adopting a classification code including all the subject-matters covered by the various international instruments in order to avoid any duplication or repetition of the same types of information.

81. In his delegation's opinion, the right to development was closely related to all the fundamental human rights recognized by the many instruments the United Nations had adopted. What the Declaration on the Right to Development referred to was development that would make it possible for all human rights and all fundamental freedoms to be fully realized. Since the protection of human rights and development were interrelated, the latter was a synthesis of human rights and fundamental freedoms and its promotion could not be dissociated from the promotion of human rights.
82. With regard to the Working Group of Governmental Experts on the Right to Development, whose report (E/CN.4/1988/10) contained recommendations of a provisional nature because of the small number of replies received, his delegation took the view that the slowness with which replies had been provided might be the result of the complexity of the role assigned to States by the Declaration on the Right to Development and of the resulting problems of interpretation. The Working Group had been right to postpone the formulation of comprehensive recommendations. Without prejudice to the content of comments that might be received at a later date, it should propose recommendations which could meet with the consensus that had not been reached during the adoption of the Declaration, but which was essential if progress was to be made on such a sensitive issue. To that end, consideration might be given to the possibility of disseminating the text of the Declaration more widely, explaining its meaning and scope more clearly, since they had not been unanimously agreed on, and strengthening the international system for the protection of human rights.

83. Mr. GILANI (Pakistan), referring to agenda item 8 (a), said that the right to development was the prerogative both of nations and of individuals. In the collective sense, it was a right which devolved on States and created mutual obligations for them. Its promotion was thus a collective process. Moreover, it was recognized that all human rights were indivisible and interdependent. The achievement of economic and social development was thus in many respects an essential prerequisite for the full enjoyment of civil and political rights. While the majority of developing countries had achieved political independence in the past four decades, political freedom for their peoples had not yet been translated into genuine development.

84. As shown by the resolution the General Assembly had adopted at its forty-second session on the implementation of the Declaration on Social Progress and Development, as well as by other resolutions, there was growing awareness of the fact that, without economic and social development, the enjoyment of other rights would continue to be a tenuous proposition. For millions of persons, the most basic right, namely, the right to life, was being gravely jeopardized by poverty, underdevelopment and disease. According to UNICEF, more than 14 million children below the age of five died each year in developing countries, infection and undernourishment being the leading cause of death. The Commission on Human Rights had to focus its attention on that most serious violation of the right to life and well-being of the overwhelming majority of the population of the world.

85. In order to achieve its objective of promoting human rights and fundamental freedoms for all, the Commission had to give serious consideration to the factors impeding the full realization of the right to development. Human rights situations in various parts of the world had to be analysed by placing them in their proper socio-economic perspective. Human rights principles and norms could not be applied through criticism alone; removing socio-economic inequalities at the national and international levels was of paramount importance for the promotion of the right to development.

86. His delegation commended the Working Group of Governmental Experts on the Right to Development on the excellent work it had done under the leadership of the Chairman of the Commission. In accordance with its mandate, the Working Group had submitted a set of very useful practical measures for the implementation of the Declaration on the Right to Development, as well as
specific proposals concerning future work. His delegation shared the Working Group's view that the realization of the right to development was a vast undertaking requiring concerted national and international measures in the economic, social and political fields (para. 42.6). It also agreed that there was a need for an evaluation mechanism within the United Nations to monitor, review and co-ordinate the actions taken by United Nations organs and specialized agencies to facilitate the implementation of the provisions of the Declaration in the work programmes of United Nations organs and specialized agencies (para. 42.4).

87. The achievement of the right to development required concerted national and international efforts to eliminate poverty, hunger and disease in all parts of the world. To that end, international co-operation should aim at maintaining stable and sustained economic growth, increasing concessional assistance to developing countries, guaranteeing food security, solving the debt problem, eliminating trade barriers, promoting monetary stability and enhancing scientific and technological co-operation.

88. Mr. TSEHAYE (Ethiopia) commended the Working Group of Governmental Experts on the Right to Development on its work and on its report (E/CN.4/1988/10), which referred to the content of the concept of the right to development, to the link between the right to development and the new international economic order, to the relationship between disarmament and development and to solidarity between developed and least developed countries. Respect for the right to development also involved respect for a number of other rights leading to the full development of the human person and, above all, to economic and social development, which determined the kind of conditions in which people lived. Consequently, certain requirements had to be met so that that right could be exercised. Genuine development was inconceivable where colonialism, racism, discrimination and exploitation existed, since the right to development was the right freely to choose an economic and social development policy and to promote it, as well as the right of peoples to affirm their sovereignty.

89. In view of the conditions created by the international context, however, the implementation of the right to development was being jeopardized. According to a report by the World Bank, 600 million persons would be living in absolute poverty by the year 2000 and that would mean malnutrition, illiteracy, serious disease, an unhealthy environment, a high infant mortality rate, a short life expectancy, etc. If the inequalities that now prevailed in the international economic order continued to exist and to worsen so dramatically, the universal demand for respect for human rights would not be met. His country therefore stressed the urgent need to establish a just and equitable system of co-operation among peoples. Such a new world order must, however, not be merely economic; it had to apply to all aspects of international relations and to help strengthen the concept of mutual interest, namely, dynamic complementarity for the full development and complete independence of nations.

90. With regard to the links between disarmament and development, his delegation was of the opinion that the squandering of human and material resources, which were being used to intensify the arms race, could only make the world more insecure. It was obvious that, with the historic agreement signed by the General Secretary of the Communist Party of the Soviet Union, Mikhail Gorbachev, and President Reagan of the United States on the
elimination of medium-range and short-range nuclear missiles, a favourable political climate had been created which could lead to further disarmament agreements. His country was of the opinion that disarmament negotiations had to be strengthened at the bilateral and multilateral levels and that continued active efforts had to be made with a view to peace, development and solidarity among States.

91. Referring to the proposals by the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10) on ways of promoting the implementation of the Declaration, his delegation noted that the Working Group had recommended a study of measures adopted by Governments at the national level to enhance the implementation of that right through the adoption of constitutional, legislative and administrative measures (para. 42.5). The Constitution of the People's Democratic Republic of Ethiopia guaranteed the right to development through popular participation in the life of the nation and invited the population to share resources and abilities in order to bring about the fulfilment and prosperity of all. In conclusion, his delegation expressed the hope that the Working Group would continue its activities with a view to promoting the implementation of the Declaration on the Right to Development.

92. Mrs. ANSBACH (German Democratic Republic) said that in the past three years, her delegation to the Commission on Human Rights had been giving priority to the strengthening of economic, social and cultural rights, which were, however, still being largely neglected in the human rights practice of the United Nations. They were not treated on an equal footing with civil and political rights, even though ILO statistics revealed that there were 30 million unemployed persons in the OECD countries, the Commission had requested in 1977 (resolution 5 (XXXIII)) that violations of economic, social and cultural rights should also be studied and the report by the Secretary-General to the current session on agenda item 8 (a) (E/CN.4/1988/9 and Add.1) stressed the urgent need for the strengthening of those rights.

93. Her delegation would have liked the latter report to contain information from a wider range of States and it did not agree with those countries which took the view that reports submitted to the Committee on Economic, Social and Cultural Rights could take the place of comments on their policies with regard to the implementation, promotion and protection of those rights. Only States parties to the International Covenant on Economic, Social and Cultural Rights submitted reports to that Committee and they did so at rather lengthy intervals and on only a few articles of the Covenant. Her country nevertheless hoped that the newly established Committee would provide fresh impetus for a universal assessment of economic, social and cultural rights, although that would not re-establish the balance between the importance attached to those rights and to civil and political rights. Only half of the Member States of the United Nations had acceded to the International Covenant on Economic, Social and Cultural Rights. Her country also noted that not just one, but several, United Nations bodies dealing with human rights had been furthering the cause of the strengthening of civil and political rights; why should that not also be the case for the other group of rights?

94. It was obvious that the Sub-Commission on Prevention of Discrimination and Protection of Minorities had tried to remedy that imbalance, as shown by its resolution 1987/29 and by the excellent study prepared by Mr. Eide on the right to adequate food as a human right. Her country would have liked
Mr. Eide to identify the root causes of the insufficient implementation of that right; in its opinion, it was not possible to overlook the activities of transnational agro-industrial corporations, which were trying to achieve maximum returns by promoting their own massive export sales without taking account of the developing countries' interests. Mr. Eide's study was, however, the first United Nations study that had been devoted to any one of the specific rights proclaimed in the International Covenant on Economic, Social and Cultural Rights and it was to be hoped that it would have a positive influence on the setting of standards relating to all those rights.

95. In connection with those rights, the delegation of the United States had raised the question of property. Among the universally binding norms of international law, there was no such thing as an unlimited right to property. It was also true that, nearly everywhere in the world, internal legislation placed certain restrictions on that right and, if account was taken of the devastating consequences of the activities of transnational corporations on human rights in South Africa, for example, it was quite clear that freedom to own private property must not be unlimited.

96. Her delegation was of the opinion that the right to development should not be dealt with separately, since it was closely linked to the entire range of rights provided for in the Covenants, including the right of peoples to self-determination. The General Assembly had adopted resolution 41/128 containing the Declaration on the Right to Development precisely in order to meet the need to identify the structural causes of shortcomings in the implementation of civil, political, social, economic and cultural rights and in order to remedy those shortcomings.

97. For the developing countries, the main obstacles to the implementation of human rights in their entirety were colonialism and neo-colonialism. The Declaration therefore rightly enunciated the right of peoples and individuals to equality of opportunity and also emphasized the corresponding rights and duties of States, which were thus required to formulate appropriate development policies and to help create the necessary national and international conditions for the realization of the right to development. The Declaration made it an obligation for States to co-operate with one another to ensure development and eliminate obstacles to the achievement of that goal, as well as to encourage and strengthen universal respect for all human rights and all fundamental freedoms. In conclusion, her delegation endorsed the recommendations made by the Working Group of Governmental Experts in its report (E/1988/10).

The summary record of the second part of the meeting appears as document E/1988/SR.24/Add.1.