COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE SECOND PART* OF THE 24th MEETING

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Chairman: Mr. SENE (Senegal)

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

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STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS (agenda item 18)

1. Mr. DESPOUY (Argentina) said that a decisive stage had been reached with the adoption in 1986 of General Assembly resolution 41/128 containing the Declaration on the Right to Development. The consensus reflected in the adoption of resolution 1987/23 of the Commission on Human Rights and of General Assembly resolution 42/117 was an encouraging sign of the need to concentrate more on the removal of the obstacles to development than on its conceptual aspects.

2. His delegation considered that the Working Group of Governmental Experts on the Right to Development, neither the nature nor the composition of which should be changed, played an important role and should fulfil its mandate as laid down in Commission resolution 1987/23. It also endorsed most of the recommendations contained in the Working Group's report (E/CN.4/1988/10).

3. The efforts of developing countries to remove the obstacles to development would be of little use in the absence of co-ordinated measures at the international level to put an end to the policies that stood in the way of the right to development. He referred the Commission in that regard to the Acapulco Commitment to Peace, Development and Democracy entered into by a group of Latin American countries on 13 November 1987 and to which the representative of Mexico had already referred.

4. Any discussion of the precise legal nature of the right to development - which some had questioned - would be superseded in future by the need to give priority to a concept on which certain criteria implicit in the Charter of the United Nations and the Universal Declaration of Human Rights were based.

5. Turning to agenda item 18, he said it seemed to his delegation that the progress made in the international protection of human rights, as reflected in instruments binding on States, was one of the international community's main
achievements since the Second World War. The previous régime in his country had ratified only two human-rights conventions, and then only with strong reservations, at a time of flagrant and systematic human-rights violations.

The urgency with which the successor - democratic - Government had subsequently ratified all international agreements for the protection of human rights would therefore be appreciated, particularly since it had recognized the jurisdiction of all the relevant supervisory bodies, in both the regional and the global contexts.

6. His delegation considered that it was necessary to harmonize the two main systems for protection of human rights, namely, that deriving from treaties and that afforded by advisory bodies such as the Commission on Human Rights. A feedback to the Commission from the various committees set up under the relevant conventions would help to meet the challenge of improving the protection of human rights.

7. MR. PALACIOS (Spain) said that, in his delegation's view, the human rights enshrined in the two Covenants constituted an indivisible and integral part of the overall system of protection of the person and the best guarantee for peace and security. Human-rights violations, a matter of concern to the entire international community, fell outside the exclusive internal jurisdiction of States. The main problem stemmed from failure to comply with existing standards.

8. Spain, which was a party to both Covenants, had acceded to the Optional Protocol to the Covenant on Civil and Political Rights and had made the Declaration referred in article 41 thereof. The Committee set up under Economic and Social Council resolution 1985/17 had its full support and should continue, on the basis of the guidelines prepared by the Secretary-General, to consider, as a matter of priority, drafting standards that could be used in the submission of reports by States parties to the Covenant and that would allow for a more effective comparison of compliance by States parties with the principles laid down in the Covenant.

9. The achievement of full respect for human rights was hampered by the particularly difficult economic and social situation throughout the world. Much benefit would therefore be derived from the establishment of an international economic order that was more equitable for both individuals and developing countries and that would eliminate some of the reasons for poverty which were often invoked by certain States to evade compliance with universal human-rights standards. In establishing such an order, it was necessary to bear very much in mind the external debt problems facing the developing countries.

10. The right to development was of such importance that it called for unanimous action on the part of the international community, which could be achieved only on the basis of a consensus, and for national and international measures in the economic, social, political and cultural fields.

11. While popular participation was important for the enjoyment of human rights, it was too broad a concept to be confined to development and should cover all facets of the political, economic, social and cultural life of countries. Furthermore, popular participation should not be restricted to collective action, for the right of every individual to take part in the life
of the society in which he lived should be guaranteed. To that end, certain legal bases and political institutions would obviously be needed, which called in turn for a democratic system that guaranteed such fundamental freedoms as the rights of association and assembly and of freedom of opinion and expression. Popular participation would then become a corner-stone in the enjoyment of human rights.

12. Channels should be opened up to enable individuals and their associations to participate in public life. A positive attitude on the part of the relevant authorities in all sectors was necessary to promote such participation and provide citizens with the necessary information in that regard.

13. Mr. de ROJAS (Venezuela) said that his delegation welcomed the recommendation of the Working Group of Governmental Experts on the Right to Development that the Secretary-General's report on the international dimensions of the right to development as a human right (E/CN.4/1334) and his study on the regional and national dimensions of the right to development as a human right (E/CN.4/1488) be updated, published in all official languages of the United Nations and widely disseminated. It also regarded as extremely important the recommendation that an evaluation mechanism be established within the United Nations with a view to monitoring, reviewing and co-ordinating the actions taken by United Nations organs and specialized agencies to facilitate the implementation of the provisions of the Declaration on the Right to Development in the work programmes of those organs and specialized agencies.

14. Recommendation 5 (d) was of particular significance, in view of the serious problem of foreign debt and its repercussions on other aspects of development. Unless a valid solution to that problem were found, the exercise not only of economic and social but also of civil and political human rights might be endangered. When a developing country had to transfer an excessive portion of its national product abroad merely to service a debt, the extent of which was often beyond its control, it was not only forced to divert resources from other sectors of the economy but was also menaced with social and political unrest that could endanger the fundamental freedoms, very often at a time when the democratization process was in the throes of consolidation. That problem had been clearly recognized in the Commitment to Peace, Development and Democracy entered into at Mexico City in November 1987.

15. His delegation thus agreed with the Working Group on the need for urgent action to implement the measures identified by the Declaration on the Right to Development, particularly regarding the establishment of a new international economic order. Every Government had a national responsibility to undertake to bring economic progress, political freedom and social justice to its people, but that in no way detracted from the importance of international co-operation in the attainment of those objectives. If injustice and imbalances continued to increase, the implementation of the human rights and fundamental freedoms would be completely undermined.

16. He trusted that the Working Group and the Commission would continue to monitor the efforts being made, at the international level, to solve the debt and other serious economic problems affecting the developing countries and the human rights of their people and to arrive at a global solution to the
existing injustices, and that they would recognize the need to introduce a new order as laid down in article 28 of the Universal Declaration of Human Rights, in accordance with the wishes of the great majority of the international community.

17. Mr. EVMENOV (Byelorussian Soviet Socialist Republic) said that in its resolution 1987/23 the Commission on Human Rights had reaffirmed the urgency and high priority of the realization of the right to development. Clearly, there was a vital need for the world community to direct its efforts at overcoming the problems of backwardness and underdevelopment facing certain countries and peoples caused by the existing unjust international economic order. Those efforts should be concentrated, first and foremost, on halting senseless expenditures on the production of nuclear, chemical, bacteriological, space-based and other weapons and, under the auspices of the United Nations, at utilizing the resources thus released for the purposes of development.

18. The concept of development was, however, not only relevant to disadvantaged countries and regions. In the economic and social fields, for example, many of the highly developed countries in Western Europe and North America were experiencing such negative phenomena as unemployment, homelessness, social degradation, racism, inflation and militarization of the economy.

19. The failure to achieve qualitative development, moreover, could have a negative impact on any socio-economic system. Notwithstanding their sustained quantitative growth, the Soviet republics had, at a particular stage, begun to experience "stagnation" in terms of qualitative development. That had led to over-centralization, a command style of management, low labour productivity in various sectors, an inadequate supply of goods and services, the erosion of wage differentials and a decline in the social activity of workers.

20. The response of the Byelorussian people and of Soviet society in general to that period of stagnation had been to initiate fundamental reforms to promote the development of socialism in all spheres. Thus, development was the global aim of all mankind and, particularly in the area of human rights; every country or region must therefore strive to achieve progress taking into account the positive experience gained by all peoples.

21. Commission on Human Rights resolutions 1987/17 and 1987/18 had placed specific emphasis on the impact of property on the realization of human rights and fundamental freedoms. In the Byelorussian Republic, there were two main forms of ownership - by the State and by co-operatives or collective farms. Until recently, it had been held that since in industry, for example, the means of production were owned by the people as a whole, only State bodies and officials could be responsible for management, planning, production and distribution. The radical economic reforms currently under way had changed that attitude and factory work-forces were increasingly becoming involved in the managerial and financial aspects of producing competitive goods of high quality and in deciding what proportion of profits would be allocated for social welfare facilities, without waiting for special decisions by the State authorities.
22. As from 1 January 1988, most industrial enterprises in the Republic were operating on the basis of self-financing and active self-management under the new State Enterprise Act. Similar favourable processes were also taking place in the area of co-operative and collective-farm ownership. Moreover, individual labour activity was increasing on the basis of private ownership.

23. Commission on Human Rights resolution 1987/21 had given further concrete expression to the idea of popular participation in its various forms as an important factor in development and in the full realization of all human rights. In that respect, it could hardly be said that the achievements of any other system were comparable to those of Soviet society in involving the broad popular masses in various forms of management, from the shop-floor to the parliamentary level, a process that was being further developed through restructuring. Recently, for example, in the elections held to appoint managers at most of the Republic's enterprises, in addition to the so-called "official" candidates, workers had nominated and elected their own candidates. Local government elections had also been held with several candidates standing for one seat. Furthermore, the policy of glasnost, or openness, was encouraging the expression of individual views and convictions and there was extensive discussion in the press concerning shortcomings and difficulties, aspects of national culture and the strengthening of socialist legality.

24. The restructuring process, based on the principle "more socialism, more democracy", bore witness to the active search in the Byelorussian Republic for ways to enhance the realization of the whole range of basic freedoms and human rights and the democratization of all aspects of life. Those goals were common to the whole of mankind and all countries might benefit from that example in actively pursuing ways of developing and strengthening their co-operation.

25. Mr. INGLES (Philippines) said that the Philippines, which had ratified the International Covenants on Human Rights and had signed the Optional Protocol to the International Covenant on Civil and Political Rights, appealed to all those States which had not yet done so to become parties to those instruments. Until such time as the latter had acquired the necessary universality the Commission on Human Rights would have to deal with the massive and flagrant violations of human rights that occurred throughout the world.

26. Turning to agenda item 8, he said that the Secretary-General's report (E/CN.4/1988/9) was useful and instructive, and the Philippines medium-term development plan to combat poverty and promote social justice had many features in common with the measures adopted by the Colombian Government as outlined in that report. So far as the specialized agencies were concerned, WHO's target of "Health for All by the Year 2000" and FAO's programme in support of popular participation in the decision-making process had much to commend them.

27. His delegation endorsed the recommendation of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10) that appropriate measures should be taken to deepen understanding and widen acceptance of the concept of the right to development. Those measures should
include dissemination of information about the nature of the right to
development and the organization of education and research activities to
familiarize all countries with the Declaration on the Right to Development.

28. At the same time, the implementation of economic, social and cultural
rights should be accelerated so that they were eventually enforced at the same
level as civil and political rights. The Declaration on the Right to
Development was only one means of ensuring the speedy implementation of the
economic, social and cultural rights however. Other rights also required
further development in which connection his delegation noted with satisfaction
the study on the right to adequate food as a human right
(E/CN.4/Sub.2/1987/23) initiated by the Sub-Commission on Prevention of
Discrimination and Protection of Minorities.

29. Popular participation, which was essential to development and the full
enjoyment of the human rights, was recognized under article XIII of
the Philippine Constitution of 1987, which dealt inter alia with the right of
workers to self-organization and with agrarian and natural resources reform.
His Government was also carrying out a programme to make decent housing
available to the homeless at reasonable cost. No resettlement of the
population would be undertaken, however, without proper consultation of the
people involved.

30. Efforts to alleviate poverty in his country were based on the right to
life and respect for the human rights. To that end, the Government had
introduced a community programme to generate jobs in rural areas by setting up
small-scale labour-intensive infrastructure projects. The goal was to
generate at least 1 million new jobs for which additional funds would be
appropriated under the 1988 budget in addition to funds already appropriated
in 1987. In addition, the Government's population policy was designed to
promote small-sized families, on a voluntary basis, while efforts to improve
women's education would be pursued with a view to promoting the general
welfare of women. Another of the Government's goals was to achieve balanced
growth as between wages, productivity and prices with a view to ensuring a
minimum standard of living for workers.

31. There was also concern with equity and distributive justice and agrarian
reform lay at the core of the efforts to bring justice to farmers. In
addition, his Government was committed to increasing the access of the people
to the basic social services and equitable access to high standard education
was also to be provided, with the emphasis on quality rather than quantity.

32. His country had, however, inherited from the previous régime a staggering
foreign debt of 29 billion dollars which meant that 40 per cent of the current
budget had to be allocated to loan-servicing, leaving very little to finance
the medium-term plan for development. The Philippines therefore
whole-heartedly supported the efforts of the Group of 77 to secure lower
interest rates for loans to enable the developing countries to achieve
sustainable growth and finance their modest development programmes.

33. Mr. BELAID (Algeria) said that the adoption by the General Assembly of
the Declaration on the Right to Development provided encouragement for the
Commission's continuing work on recognition of the right to development as an
inalienable human right. Moreover, the definition laid down in article 1,
paragraph 1, of the Declaration, together with the importance of the promotion
of the human person, made it clear that the right to development in no way detracted from the realization of the other human rights. Moreover, the link which the Declaration established between, on the one hand, the right to development and the other human rights and, on the other, individual rights and collective rights was based on a global and dynamic approach. The various categories of rights should therefore be perceived as indivisible and interdependent.

34. Articles 3 and 4 of the Declaration concerned the responsibility of States for creating conditions favourable to the realization of the right to development, and that could not be confined solely to the responsibility the States assumed at the national level. The right to development was thus a right that could be required of others and of the international community, an aspect that was particularly relevant in an international environment where the development efforts of the most deprived were increasingly thwarted.

35. The scourge of famine, the sharp drop in the price of primary commodities, and the foreign debt burden of developing countries were but a few examples of the problems that cried out to the conscience of mankind and that could not be solved unless the principle of international solidarity was applied. That underlined how important it was to consider the obstacles to development to which the Working Group of Governmental Experts on the Right to Development had referred. The Working Group had once again proved its effectiveness in promoting the right to development and had put forward a set of recommendations that provided useful guidelines for future consideration of the matter.

36. Mr. SADALLAH (Observer for Egypt) said that the basic purpose of the right to development was to ensure the enjoyment of all the other human rights and the extent to which those rights were exercised depended largely on the level of development in a given State. Accordingly, the development of the individual could not be separated from that of his community and his nation.

37. The current economic situation was a major obstacle to development and made it essential to introduce a new and equitable economic order. The adoption by the General Assembly of the Declaration on the Right to Development was a positive step in that direction. Another obstacle was failure to achieve the right of all peoples to self-determination and sovereignty over their natural resources and to eliminate racism and massive human-rights violations. In particular, the legitimate right of the Palestinian people to self-determination should be guaranteed and efforts made to eradicate apartheid in South Africa and to achieve independence for Namibia.

38. In view of the relationship between disarmament and development, his Government welcomed all agreements on disarmament that were designed to consolidate international peace and security. The progressive reduction of military expenditure would open up new avenues of development finance.

39. There was a growing awareness of the importance of popular participation in the context of human rights in general and of the right to development in particular. Human rights should be dealt with in a comprehensive manner for they were all interlinked and complementary. Appropriate guarantees of those rights were required if popular participation was to be constructive.
40. His delegation agreed with the Working Group of Governmental Experts on
the Right to Development regarding the need to disseminate information on the
right to development and to compile statements made by Governments,
specialized agencies and others concerning the implementation of that right.
The Working Group should play a leading role in determining national and
international measures required to promote the right and should help to arrive
at an agreed approach by States to it.

41. Lastly, the terms of articles 3, 4 and 10 of the Declaration on the Right
to Development, which provided that States had a primary responsibility to
create favourable conditions for the realization of the right and should
co-operate in removing the obstacles to development, could only be implemented
by means of a constructive dialogue and on the basis of a belief in the
importance of the right to development.

42. Mr. HEREDIA PEREZ (Observer for Cuba), having noted that paragraphs 12
and 13 of the Proclamation of Teheran, adopted at the International Conference
on Human Rights held at Teheran in 1968, underlined the basic importance of
the Declaration on the Right to Development, said that it was apparent from
the history of the recognition of the right to development as a human right
that there was no basis, either in doctrine or in the opinions of
international bodies, for according priority to civil and political rights
over economic, social and cultural rights.

43. The current neo-conservative school of thought weakened the collective
approach by considering the human rights of the individual in the discussion
of topics which chiefly concerned people or nations, ignoring the fact that
the preamble to the Charter of the United Nations spoke of "peoples" and that
there was an interaction between civil and political rights, on the one hand,
and economic and social rights, on the other.

44. Fair consideration was not even given to the fact that civil and
political rights could not become a reality without the enjoyment of certain
material conditions which fell within the context of economic, social and
cultural rights. Furthermore, the right to life had to be viewed in its
entirety and in the light of the principle laid down in the Universal
Declaration of Human Rights that everyone had the right to an adequate
standard of living as well as of article 28 of the Universal Declaration.

45. In that connection, he was bound to note that the United States
Government had, obstinately and without justification, opposed the right to
development, arguing that United Nations resources could be used for
activities with much higher priority than continuing work on the right to
development. That Government was, however, merely trying to justify the
unjust international economic order which implied the maintenance of privilege
for a few human beings and irremediable poverty for others. The expectation,
in terms of material goods, of a child born in a third-world country was one
thirtieth that of a child born in a developed country; a gap that was growing
wider every day.

46. Development problems were basic for the majority of mankind and such
factors as protectionism, high interest rates and the external debt placed the
future of the peoples in jeopardy. The lack of will on the part of many
developed countries to negotiate and their obstinate clinging to their own
positions prevented the establishment of a new international economic order
and respect for the Charter of the Economic Rights and Duties of States. As recently stated by the Director-General of the International Labour Organisation, it was imperative to try new ways of helping the poor countries of the third world, overwhelmed by a huge external debt and high rates of inflation and unemployment, to overcome their difficulties and earn a decent living.

47. The economic situation in Africa and in many Asian countries was a tragic one. Latin American countries were currently net exporters of capital to the industrialized world and, as a group, had an external debt equivalent to 60% of their GDP, transferring to creditor countries half of their domestic savings in the form of interest. In that connection, it was significant that the Working Group of Governmental Experts had referred specifically in its report to the negative consequences of the external debt on the right to development.

48. His delegation wished to place on record its support for the concepts of international co-operation in the matter of human rights and for the Declaration on the Right to Development, which should serve as a guide and inspiration to all.

49. Mr. KOMORNIK (Observer for Hungary) said that the adoption of the International Covenants on Human Rights, which imposed binding obligations on States and codified accepted standards, constituted a decisive stage of the United Nations work in that field. It was regrettable therefore that only slightly more than half the members of the United Nations had thus far acceded to those Covenants. Respect for human rights was not a purely internal matter, for violations could have harmful effects on relations among States and even threaten international security. His Government, which abided by the Covenants in its daily practice and submitted regular reports to the relevant supervisory bodies, took the view that, in the long term, all States must become parties to the Covenants in order to guarantee co-operation with regard to, and respect for, the human rights and fundamental freedoms.

50. Despite the results achieved, it had not always been possible to put an end to every instance of mass violation of human rights, and the current phenomena of poverty, underdevelopment, racial discrimination and terrorism that afflicted the world also had an adverse effect on the implementation of human rights. In particular, joint international action was required to put an end to racial discrimination and apartheid, which posed a direct threat to international peace and security.

51. It was essential that the States parties to the Covenants should comply with their reporting obligations and that the domestic laws and regulations of States be brought into line with the international instruments to which they were parties. Another requirement for the implementation of international human-rights standards was a broad democratization of the internal life of States in accordance with their own particular conditions. All those concerned should translate into practice the established principles with a view to guaranteeing respect for both civil and political and economic, social and cultural rights.

52. In reaffirming United Nations authority for the promotion of human rights, it was important to make the Covenants universal, to recognize their indivisibility in practice, and to enhance the system for monitoring their
implementation. Co-operation in the field of human rights should be intensified with a view, above all, to avoiding political confrontation and promoting better understanding of the issues involved. The main goal, after all, should be to improve the lot of peoples throughout the world.

53. Mr. TUKA (Czechoslovakia), said that the International Covenants on Human Rights had been of central importance in the codification of legal norms and the consolidation of basic principles for international co-operation in the humanitarian field. Moreover, those instruments reaffirmed the idea of the inseparability and interrelationship of civil and political and social and economic rights. In its resolution 32/130, the General Assembly had set forth the fundamental principles by which United Nations bodies must be guided in the field of human rights. In that connection, his Government strongly opposed any selective or unilateral interpretation of human rights standards based on the exclusivity of any single legal or social system.

54. Interpretations of that kind were not only unrealistic but undermined the mutually agreed basis for co-operation among States in the protection of human rights. Such co-operation was part of the joint efforts of the world community aimed at strengthening peace and international security, for the benefit both of entire peoples and of the individual person, and those aims and objectives could not be served by the political thinking of some Governments which deliberately encouraged mistrust of other peoples and frequently used human rights simply as a means of discrediting countries with a different social system. Through a web of half-truths, outright lies or total silence about the real facts, they hindered co-operation in a field where a sober and sensible approach was needed if positive results were to be achieved.

55. The International Covenants on Human Rights established a generally accepted foundation for the development of international co-operation in the field of human rights. In that regard, both the relevance of the two instruments and the effectiveness of the monitoring bodies would be enhanced if other politically and economically important States acceded to them. Participation in the implementation of the Covenants would provide those States with the opportunity to develop a more objective approach towards the strengthening of international co-operation in human rights and, indeed, to reach a deeper understanding of the shortcomings regarding the protection of human rights within their own territory.

56. In Czechoslovakia, the full recognition and provision of constitutional safeguards for the whole range of human rights had been only a first step in his Government's implementation of the Covenants. Even more favourable conditions were being created for the all-round development of the individual. Rights and legal safeguards were being extended in the process of further democratization and socialist self-management by involving citizens more broadly in the administration of State and public affairs and ensuring a high standard of public welfare.

57. His Government's participation in the implementation of the Covenants had given it the opportunity to study the experience of other countries and to draw conclusions that could be used in improving national legislation and practice. Its desire to participate further and to comply in good faith with its obligations under the Covenants had been clearly demonstrated in the period since the previous session of the Commission on Human Rights. It had,
for example, submitted a report to the Committee on Economic, Social and Cultural Rights concerning the implementation of articles 6-9 and 10-12 of the International Covenant on Economic, Social and Cultural Rights. Furthermore, it had signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was currently in the final stages of nation-wide discussion prior to ratification.

58. Mr. MESTDAGH (Observer for the Netherlands), said that there was a tendency to draft instruments for the benefit of particular sub-groups in society, and that could weaken accepted standards as laid down in the Covenants, whereas the emphasis should rather be on areas where codification of individual rights was slow. Thus, in his delegation's view, the Commission should embark on a substantive consideration of the issue of the abolition of the death penalty. The fact that a number of States felt unable to abolish that penalty within their own jurisdictions was no justification for placing obstacles in the way of the initiatives of others wishing to do so.

59. With regard to the implementation of human-rights instruments, his delegation welcomed the forthcoming meeting of chairmen of the supervisory bodies responsible for considering reports and communications submitted by States parties and individuals respectively, to review problems encountered in the reporting systems.

60. Another obstacle to the success of the implementation mechanism arose from the fact that many States had still not become parties to the Covenants. Governments could perhaps therefore be asked why they had not done so, and a paragraph giving their reasons inserted in the resolution on the status of the Covenants.

61. His delegation regarded the work of the Human Rights Committee and the Committee on the Economic, Social and Cultural Rights as vital for the implementation of human rights. It was also much impressed by the publications of "Article 19", a non-governmental organization that prepared commentaries on the reports by Governments to the Human Rights Committee, an initiative that helped to enhance the further implementation of those rights.

62. His delegation, which commended the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on his report on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23), considered that the Economic and Social Council should ask the Committee on Economic, Social and Cultural Rights to appoint a working group to draft general comments for the Committee's consideration with a view to a greater understanding of the implications of the right to food. It also endorsed the Special Rapporteur's recommendations relating to the need to improve the guidelines for reporting by States parties, to improve links with specialized agencies, and to implement articles 22 and 23 of the Covenant. Accordingly, it recommended for adoption a draft resolution before the Commission which reflected those recommendations.

63. On the issue of the right to housing, his delegation would favour a recommendation to the Committee on Economic, Social and Cultural Rights that it consider the question of forced evictions in connection with its consideration of reports by States parties on articles 10 to 12 of the Covenant.
64. Turning to the report of the Working Group of Governmental Experts on the Right to Development, he said that, for some Governments at least, the precise status of the right to development within the complex situation of human rights was not clear. The Netherlands, for its part, treated the right to development as a right which pertained mainly to individuals and for the implementation of which the State to which a given individual belonged had prime responsibility. His Government was, however, accepting co-responsibility in cases where countries were unable to implement the right to development, in which connection he noted that Netherlands development assistance amounted to 1.5% of gross national product.

65. In his delegation's view the mandate of the Working Group should be terminated since it had completed the task of drafting the Declaration on the Right to Development, and a more representative body was required to discuss and monitor the implementation of the Declaration. The Secretariat could make a compilation of any comments still to be submitted, which could then form the basis for discussion at the forty-fifth session of the Commission. Alternatively, the Working Group could reconvene for one or two weeks in an open-ended composition. If, however, the Commission decided to reconvene the Working Group in its existing format, he could not promise that his delegation would continue to participate.

66. Mr. ASSADI (Observer for the Islamic Republic of Iran) said that his delegation would lend its full support to the Commission in its work on the right to development. In its view, it was neither an exercise in futility nor a waste of resources for the Commission to take up the subject. Those who did not regard the right to development as a human right and who therefore considered that the Commission was not the proper forum to discuss it represented countries that enjoyed a dominant position in the world, and had shaped and directed the existing unjust international economic order while condemning the developing countries to subjugation.

67. His delegation did not question the undoubted importance of individual civil and political rights but it considered that the right to development was paramount and should be dealt with accordingly. It was a right which had a direct bearing on the human rights and fundamental freedoms of the individual for the opportunities for securing those rights were inevitably greater in a society which enjoyed a higher level of development. The right to development, moreover, was not just a right of the individual but, more important, a right of the entire population, which had far-reaching implications.

68. Those countries which, out of economic interest and as a matter of course in their conduct within the United Nations system, did their best to obstruct deliberations on issues of importance to the international community, must change their negative attitude and conduct their policies in a manner in keeping with the legitimate aspirations of the majority of the people of the world as recognised in the resolutions of the General Assembly and other organs and specialized agencies of the United Nations system.

69. Mr. LEBAKINE (Observer for the Ukrainian Soviet Socialist Republic) said that the effectiveness of international co-operation in the field of human rights largely depended on the number of States participating in that process. Such co-operation, under articles 55 and 56 of the United Nations Charter, was the duty of all Member States, yet some 40% of them were still
not parties to the International Covenants on Human Rights and thus were, in effect, violating their Charter obligations. Participation in the Covenants was, nevertheless, coming to be regarded as a rule of conduct in international relations since it placed States on an equal footing and applied mutually acceptable criteria based on the generally recognized principles of international law. It was to be hoped in particular, therefore, that all the permanent members of the Security Council would eventually become parties to the International Covenants.

70. Ratification or accession was, of course, only a first step that must be followed by government action in the economic, legal, administrative and other fields aimed at the realization of the rights and freedoms of all members of society. Effective implementation of the International Covenants, moreover, called for a balanced approach to the two instruments and to both categories of human rights: civil and political rights on the one hand, and economic, social and cultural rights on the other. Regrettably, such a balanced approach was not always being followed either in the domestic policies of individual States or in the work of the international organizations. The fact that economic and social rights were regarded as of lesser importance was demonstrated, for example, in the unequal number of major studies undertaken or special rapporteurs appointed, in the uneven attention devoted to the consideration of particular human-rights violations and in the uneven emphasis on further codification work for the two categories of human rights.

71. Turning to agenda item 8, he said that the Declaration on the Right to Development held an important place among the other international instruments on human rights. The implementation of that all-embracing right was of particular relevance in view of the economic and social situation prevailing in the contemporary world, which was characterized above all by the enormous gulf between the developed and developing States. In an increasingly interdependent world, it was obvious that progress in some States and regions could not be sustained if tens or even hundreds of millions of people in other countries were consigned to poverty and hunger and if the striving of the latter for free and independent development was hampered by their enormous external debt, the negative effects of the activities of the transnational corporations, the use of economic relations as a means of exerting political pressure, unfair trade practices, protectionism and other discriminatory methods.

72. A prerequisite for the implementation of the right of every people to development was the restructuring of international economic relations on a just and democratic basis and the establishment of a new international economic order aimed at providing economic security for all States. The right to development, furthermore, could be realized only through the rigorous observance of the right of every people freely and independently to choose their own socio-economic system and path of development. The factors which continued to impede implementation of the Declaration were colonialism and neo-colonialism, foreign aggression and occupation, apartheid, racism and racial discrimination and other gross and mass violations of human rights.

73. Lastly, it was impossible not to agree with the conclusions of the Working Group of Governmental Experts on the Right to Development, namely, that effective measures for disarmament were essential to implementation of the Declaration. The arms race remained one of the major obstacles to the
realization of that right and its absurdity was especially apparent in the light of the acute problems facing the developing States and the current unsatisfactory situation of the world economy.

74. At the same time, consistent efforts were required, particularly in the developing countries, to introduce radical economic and social reforms, to strengthen each country's sovereignty over its own national resources, to achieve independent economic development and to establish a system for the fair distribution of national wealth. Action by the Commission on Human Rights should be focused on helping to overcome the obstacles to implementation of the Declaration, and in that regard the Working Group of Governmental Experts could continue to play a useful role.

75. Mr. SALIM (Observer for the Syrian Arab Republic) said that the adoption of the Declaration on the Right to Development by the General Assembly in resolution 41/128 of 4 December 1986 was an expression of the will of the international community, which regarded that right as a basic and inalienable right of the developing countries. In fact, the right to development, which was implicit in the Charter of the United Nations and the International Covenants, furthered the realization of other human rights, since economic, political and social development improved the standard of living of persons throughout the world through an equitable distribution of the benefits of the development process.

76. The realization of that right was, however, being impeded by obstacles such as the external debts of the developing countries and the current unjust international economic order, which should be replaced by a new economic order based on respect for the sovereignty of States over their natural resources and the establishment of more equitable economic relations between the developing and the developed countries. There was also an imperative need to eliminate racial discrimination and apartheid, put an end to the foreign occupation of the territories of other States, ensure that peoples enjoyed their right to self-determination, strengthen security and achieve disarmament so that the amounts that were currently being spent on arms could be used to promote development, particularly in the developing countries.

77. The right to development should be strengthened through good-neighbourly relations among States and joint endeavours by international organizations and specialized agencies with a view to improving the situation of all communities. Institutions such as the International Monetary Fund and the World Bank had an important role to play in helping to solve the problem of the indebtedness of the poorer countries through an improvement in their rates of development.

78. The transfer of technology from the developed to the developing countries would also help the latter to become more self-reliant. In particular, the right to development must be promoted through increased international awareness of its significance, which could be achieved by a large-scale expansion of education activities, the organization of seminars by governmental and non-governmental organizations and United Nations agencies and the adoption of constitutional, legislative and administrative measures to promote the realization of that right.

79. He commended the Working Group of Governmental Experts on the Right to Development for the recommendations that it had made in its report (E/CN.4/1988/10), which would undoubtedly strengthen the right to
development. In view of the results that the Working Group had achieved over the last seven years, in which it had succeeded in drafting the Declaration on the Right to Development, it was important that it should continue its work. In his view, however, the results that the Working Group could achieve would be impeded if its membership were opened to all countries and organizations.

80. His Government attached considerable importance to the various forms of popular participation, which constituted a significant factor in development and the full realization of human rights. In fact, Syrian women and young people were playing a major role in socio-economic development through their active participation in the production process, through their respective popular organizations. Agricultural and other workers, who constituted the kingpin in that ongoing process, had their own trade-union organizations and constituted 50% of the total membership of the People's Council.

81. In one of his statements, President Hafez al-Assad had said that "every proposal formulated by the working class becomes a decision". Accordingly, popular participation in Syria was being achieved through freedom of association and co-ordination of the production process, social planning and decision-making among the various trade-union organizations. His Government attached considerable importance to training and education, the creation of employment opportunities, the protection of the working class from exploitation, and the provision of health insurance and social security. In short, the development process was regarded as a basic objective with a view to the consolidation of human rights in all rural and urban sectors.

82. It was self-evident that popular participation and socio-economic development could not be properly achieved if colonialism, exploitation and occupation persisted and if some peoples continued to dominate others, robbing them of their wealth and exploiting their natural and human resources, as in the case of the peoples of Namibia and Palestine, which were being denied their right to development and popular participation. As long as territories were being occupied by force, that right would be jeopardized. It was difficult to see how the Syrian Arab people in the occupied Golan territory could exercise that right under the heel of the occupier.

83. Moreover, peoples and countries subjected to foreign occupation and domination were faced with additional costs that could be met only at the expense of their development and prosperity. Consequently, the development process and popular participation were conditional on the elimination of occupation, domination, exploitation, racial discrimination and other baneful practices, which the international community must combat by every possible means.

84. Mr. BARSH (Observer, Four Directions Council), endorsing in particular recommendation 4 of the Working Group of Governmental Experts on the Right to Development, (E/CN.4/1988/10. para. 42), said that respect for human rights should start with the United Nations itself, in which connection he noted that, to the outsider, the status of women within the Organization left much to be desired and that personnel practices and procedures appeared incomprehensible and very possibly arbitrary and unfair.

85. There was a need above all for co-ordination and evaluation in United Nations operational programmes to ensure that they reflected the goals of popular participation, non-discrimination and respect for human rights, and
also that they adequately mobilized all sectors of society. In the case of the indigenous peoples, so-called "development" projects often resulted in loss of land and autonomy and a deterioration in health and nutrition. Those were, in fact, precisely the kind of situations dealt with in International Labour Organisation Convention No. 107 (Indigenous and Tribal Populations Convention, 1957).

86. The problem reflected not only a lack of co-ordination but also the inter-departmental rivalry that characterized much of the United Nations system, as was all too apparent from the reports of the Economic and Social Council. More would be accomplished, and at less cost, if the objectives and monitoring of human rights were built into development assistance from the outset and if the data compiled by other United Nations functional and regional commissions were shared with human-rights monitoring bodies. Also, there should be a link between United Nations programmes that dealt with development and those that dealt with human rights.

87. With a view to more effective development projects and more efficient implementation of human rights within the United Nations, the Centre for Human Rights should be strengthened so that it could participate in the planning and evaluation of United Nations development activities. It should also be authorized to set up co-operative research programmes with regional and other economic and social commissions. A particularly convincing statement in support of that view was to be found in paragraph 31 of the report of the Expert appointed to assist the Government of Guatemala on human rights matters (E/CN.4/1988/42).

88. The task of co-ordinating the implementation of the Declaration would be facilitated by the establishment within the Centre for Human Rights of regional desks or co-ordinators to serve as a point of contact and co-ordination. That kind of structure, which would ensure regional balance in the work of the Centre, would be entirely in keeping with the Declaration on the Right to Development.

The meeting rose at 9 p.m.