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COMMISSION ON HUMAN RIGHTS  
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## DRAFT DECLARATION ON THE RIGHT TO DEVELOPMENT

### OPERATIVE PART

#### PART TWO: Means

#### Article V

1. For the purpose of realization of the foregoing principles and objectives States shall have the duty to take steps individually and collectively, to ensure the full exercise of the right to development.
2. States have the duty to formulate adequate development policies with a view to creating the conditions necessary for the full realization of the rights of all individuals and peoples within the State.
3. States should intensify their international co-operation particularly in the economic, social and cultural fields, with a view to creating the conditions necessary for full realization of the right to development.

#### Article VI

States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and persons affected by situations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, and the refusal to recognize the fundamental rights of peoples to self-determination and of all nations to exercise full sovereignty over their wealth and natural resources.

#### Article VII

1. All States should promote the establishment and maintenance of international peace and security.

2. All States should take immediate steps towards the achievement of general and complete disarmament under effective international control and towards the utilization of resources released by effective disarmament measures for development, in particular that of the developing countries.

#### Article VIII

1. All States should increase their co-operation in the economic, social and cultural fields as well as in the field of science and technology and for the promotion of economic growth throughout the world, especially that of the developing countries.

2. States should take steps with a view to the establishment of a new international economic order which includes inter alia:

(a) the establishment of a just and equitable division of labour requiring increased industrialization and agricultural development in developing countries; the access of developing countries' products to the markets of developed countries; the establishment of a world food security system; the transfer of adequate resources to developing countries through trade, official development assistance and access to capital markets; reform of the international monetary system; transfer of technology on advantageous conditions; equitable remuneration for primary commodities; protection of the purchasing capacity of developing countries; and the promotion of just terms of trade;

(b) the granting, by developed countries to developing countries, of generalized, preferential, non-reciprocal and non-discriminatory treatment to developing countries in those fields of international economic co-operation where it may be feasible;

(c) the democratization of international financial institutions;

(d) promotion of international scientific and technological co-operation and the transfer of technology, with proper regard for all legitimate interests including, inter alia, the rights and duties of holders, suppliers and recipients of technology; in particular all States should facilitate the access of developing countries to the achievements of modern science and technology, the transfer of technology and the creation of indigenous technology for the benefit of the developing countries in forms and in accordance with procedures which are suited to their economies and their needs;

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

(f) development of just and equitable international co-operation with a view to: promoting education and scientific progress; promoting cultural co-operation including the return of cultural wealth and the national heritage; developing the dialogue between various cultures; and increasing international co-operation with a view to solving urgent social problems including the realization of the social and cultural rights of migrant workers; and

(g) the common management of resources such as the sea-bed, outer space which are part of the common heritage of mankind.

3. All States should co-operate with a view to strengthening universal respect for and observance of all human rights and fundamental freedoms set forth in the International Bill of Human Rights without any distinction as to race, sex, language and religion.

#### Article IX

1. Each State has the primary responsibility to ensure the full realization of the right to development within its territory and should therefore ensure inter alia, equality of opportunity for all in their access to basic resources, education, medical care, food, housing, employment, opportunities for participation and the fair distribution of income.

2. The measures undertaken for the full realization of the right to development should promote and protect the respect for, and observance of, all human rights and fundamental freedoms set forth in the International Bill of Human Rights.

3. Particular attention should be paid to the interests, needs and aspirations of disadvantaged groups. Sustained efforts including adequate economic and social reforms should be made with a view to eradicating all social injustices.

#### Article X

1. The granting of equality of opportunity for all requires appropriate action with a view to promoting full popular participation. This includes inter alia:

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

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

(c) The formation of specific programmes in the key areas of participation such as participation in management and self-management in the public sector of economy, local government and decentralization of decision-making and participation of specific groups including ethnic, racial and linguistic minorities;

(d) The increasing involvement of trade unions, non-governmental organizations, community and civic groups, as well as all segments of society to promote popular participation.

2. The realization of the right to development requires at the national level full participation of women in social, political and cultural life. States should adopt appropriate and effective measures towards this end.

#### Article XI

1. For the right to development to be fully realized, it is necessary that everyone enjoys all human rights, including the right to periodic and genuine elections; freedom of movement, including the right to leave any country; freedom of opinion and expression; freedom of thought, conscience and religion; freedom of peaceful assembly and association; freedom to form and join trade unions; the right to a fair and public hearing by an independent and impartial tribunal; and to an effective remedy by national tribunals for acts violating his rights.

#### PART THREE: GENERAL PROVISIONS

#### Article XII

1. All the aspects of the right to development set forth in this Declaration are indivisible and interdependent and each of them should be construed in the context of [the whole] [the others].

2. Nothing in this Declaration shall be construed as prejudicing in any manner the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

3. Nothing in this Declaration shall be construed as prejudicing in any manner the right of peoples to self-determination.

#### Article XIII

Steps should be taken with a view to further elaboration, codification and progressive development of the right to development as a principle of international law.

#### Article XIV

International organizations and agencies concerned with development should consider this Declaration as an important international document in the formulation of strategies and programmes designed to promote development.