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QUESTION OF THE REALIZATION 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 THE STUDY OF SPECIAL PROBLEMS RELATING TO HUMAN RIGHTS
IN DEVELOPING COUNTRIES

The widening gap: a study of the realization of
economic, social and cultural rights

by

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REVISED OBSERVATIONS, CONCLUSIONS AND RECOMMENDATIONS

Note by the Secretary-General. The Secretary-General has the honour to transmit to the Commission on Human Rights the following revised observations, conclusions and recommendations to the study on the realization of economic, social and cultural rights. These have been prepared by the Special Rapporteur in accordance with Economic and Social Council resolution 1792 (LIV) of 18 May 1973 and supersede those contained in part six (E/CN.4/1108/Add.6) of the study submitted by the Special Rapporteur to the Commission at its twenty-ninth session (E/CN.4/1108/Add.1-9). In addition, supplementary material for inclusion in part five of the study (E/CN.4/1108/Add.5) is being circulated to the members of the Commission at the thirtieth session in document E/CN.4/1108/Add.10. The Special Rapporteur, in preparing this report, has taken into consideration comments and observations by Governments, 1/ specialized agencies and intergovernmental organizations, as well as the views expressed at the twenty-ninth session of the Commission.

1/ See E/CN.4/1132.

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I. OBSERVATIONS

1. Parts two, three and four of the report (E/CN.4/1108/Add.2, Add.3 and Add.4) provide - depending on the availability of data, which are particularly lacking for many of the less developed countries - information and indices concerning the way of life and level of living throughout the world in terms of distribution of income, number of inhabitants per doctor and per hospital bed, the ratio of school attendance to school-going age group, the ratio of school drop-outs, the housing conditions, unemployment conditions, infant mortality, life expectancy, etc.
2. The report shows that within the last decade all countries, including the less developed, have made substantial gains in broadening education and in improving nutrition and health standards. In addition, their total gross national product has risen significantly, although the increase has to a large extent, particularly in the case of the less developed countries, been offset by accelerated population growth. Per capita gross national product in the less developed countries increased by only about 25 per cent between 1960 and 1969. This rate, being an average for all less developed countries, conceals cases where the rates were much lower and even negative, as well as cases where higher rates were achieved.
3. The less developed countries, which form 64 per cent of the world population, have managed on average since 1970 to achieve an annual growth rate of 4.1 per cent in their GNP. Most of this has, however, been offset by high population growth and inflation. Hence, there has been very little improvement - or none at all - in the desperately low standards of living of more than 1,100 million people.
4. An average world growth rate of 4.1 per cent may seem a reasonable achievement, but it masks the fact that some less developed countries are moving forward far faster than others.
5. Robert S. McNamara, President of the International Bank for Reconstruction and Development, states in the Bank's annual report for 1972 that there are huge inequalities in wealth inside any developing country. The report states that in 39 countries studied the top 5 per cent get more than 30 times more than the lowest 40 per cent. This is the group that presents "the largest, most pervasive and most persistent poverty problem of all". Contrary to the traditional economists' point of view, the Bank's report also observes that there is very little difference between the average rate of growth in the group of countries with the greatest income inequalities and in the countries with the smallest. It says that a fairer income distribution could lead to a reduction in demand for luxury goods for the rich and more investment in the production of essential commodities.
6. With regard to the particular problems of the less developed countries, former United Nations Secretary-General U Thant has said:

"After centuries of fatalistically enduring political subjugation and suffering, after millenia of accepting social discrimination as a decree

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of the gods, and economic disparity as an unalterable fact of life, science and technology have awakened mankind all over the world to the realization that this need no longer be so". 2/

7. A recent United Nations report on the work of a research team on a unified approach to development includes the following passage:

"The rapid growth in the labour force, the growing demand for change as a result of spreading education and improved communications, the movement of population to the cities, the absence of widespread popular participation in development, the maldistribution of social services such as health service and benefits, the slowness of social reform - these and many other forces are generating acute tensions throughout most of the developing countries." 3/

8. Very often it has been not the impoverishment of a people that has led to rebellion and disorder but rather the failure to realize their expectations for improvement of their living conditions. This is indeed no more than a definition of what is meant by the phrase "revolution of rising expectations". As Myrdal says, "people get restless and rebellious when they are getting a little better off but not fast enough".

9. The present report shows that in spite of improvements, vast numbers of people in Asia, Africa and Latin America live in conditions of bare subsistence and sometimes starvation. Millions of migrants from the farms to the cities fail to find jobs. They become dwellers in huge, ever-growing slums and transitional settlements in which poverty, lack of any standard of sanitation, illiteracy and malnutrition are offsetting the alluring prospects of social equity and providing the breeding ground for crime and delinquency.

10. In a number of less developed countries around the world, people living in transitional urban settlements have demonstrated remarkable vigour and ingenuity in improving their living conditions despite enormous obstacles, including strong initial institutional opposition to the very existence of these settlements. The current evidence from the less developed countries indicates that when these population groups obtain minimally secure employment and a measure of security of tenure to the land they occupy, they act to improve their environment through the investment of their major resources, money and labour, in the gradual improvement of their dwellings and surroundings. Unfortunately, not all transitional urban settlements are improving. Central city slum areas, which in some less developed countries are generations or even centuries old, are for the most part not undergoing the kind of progressive environmental improvement that can be found in many newly established central or peripheral squatter areas. This may be due in large part to their being tenement areas which absentee landlords have no incentive to improve.

2/ Long-term Planning (United Nations publication, Sales No. E.71.II.E.3). p. 3.

3/ E/CN.5/490 (Report of the Secretary-General on the Expert Group Meeting on a Unified Approach to Development Analysis and Planning, held at Stockholm from 6 to 10 November 1972), para. 9.

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11. Large masses of people in the less developed countries suffer from undernutrition, malnutrition, lack of elementary health and educational facilities, and extremely bad housing conditions and sanitation. This situation impairs their capacity and ability to work and to contribute to higher production. As a result, productivity is held down and national progress is slowed.

12. Statistics provided in this report show that the gap is widening in most countries between the rural and the urban population and between the high and the low income groups. This is particularly so in the case of the less developed countries. On the other hand, the phenomenal technological gap existing between the more developed countries and the less developed countries and the high rate of population growth in the latter as compared with their meagre utilization of material and human resources have led to an ever-widening gap between the two groups of nations. That condition is creating a politically explosive situation both at the national and the international levels.

13. Although there can be but one definition of "human rights and fundamental freedoms", nevertheless, in view of the economic and social realities of life in different parts of the world, the term conveys different needs and expectations and a different order of priorities for those living below the poverty line as compared with those enjoying higher standards of life. Thus, while the gap between the rich and the poor, the privileged and the underprivileged keeps on widening both within and between countries, the possibilities of uniform definition and application of those standards tend to diminish. Such conditions are harmful not only for national integration and consolidation but for international co-operation among nations.

14. The population in Africa, Latin America and much of Asia continues to grow at an explosive rate of 2.5 per cent yearly. This uncontrolled population growth is one of the basic reasons for the continuing poverty of the less developed countries. The estimated total population in the less developed world rose from some 2,000 million in 1960 to 2,500 million a decade later. Projections of the figures, moreover, indicate that the present population of the less developed countries may double by the year 2000. In contrast, the total population in more developed regions - which increased from some 1,000 million in 1960 to 1,100 million in 1970 - is projected to rise only to about 1,500 million at the end of the century. The picture is even more startling in the case of the urban population, which is expected to increase in the less developed countries more than threefold during the same period. ^{4/}

15. The present report shows that, with the exception of socialist countries, all countries have acute unemployment problems. The situation is nowhere as critical as in the less developed countries. One estimate is that one adult in every three or four is unemployed or underemployed in the less developed countries. This means that probably as many as 200 million jobs need to be created in those countries now and many more in the near future, in view of their rapidly increasing population. Unemployment means frustration and demoralization among young men and poverty for their families in countries where there are few or no unemployment benefits.

^{4/} World Bank, Trends in Developing Countries, 1972.

16. A recent major UNESCO study on education throughout the world 5/ states that in the education race, as in the march to economic progress, attempts to narrow the gap between the more developed countries and the less developed countries have all failed. The enormous difference in educational experiences between have and have-not nations is still widening despite "large-scale efforts, financial sacrifices and considerable results" in the 1960s. The report goes on to say that in 1968 more developed countries spent more than \$120,000 million on education while the less developed countries spent less than \$12,000 million. Yet the more developed countries have only one third of the world's population and only one fourth of its young people. The report notes that "the most serious aspect of this enormous difference is that it is growing larger". During the period 1960-1968 the more developed countries had about half the number of students in the world. In Europe, the Soviet Union and North American elementary and secondary school enrolments ran parallel to the growth in the population of young people between the ages of 5 and 19. But in the less developed countries the population in that age group increased by 36 million more than the increase in school enrolments. In this regard, Africa had the worst conditions.

17. As regards prevailing conditions for health protection in various parts of the world, the present report shows great improvements in the socialist countries and also in the developed market economies, particularly in those which have instituted national health protection schemes. Conditions in the less developed countries also show progress; however, protection in this field is generally less equal as regards rural and urban coverage and as regards coverage provided to people of different income groups and is generally much less adequate. It has been noted in the present report that, though nearly 70 per cent of the world's population in 1967 lived in the less developed countries, these countries had, in all, only 25 per cent of the world's physicians, 28 per cent of its dentists, 20 per cent of its nurses and 30 per cent of its hospital beds. In addition, between 70 and 80 per cent of this medical personnel lived in large cities, thus leaving 80 per cent of the population of the less developed countries with only 20 per cent of the available medical personnel. This explains, in part, the high rates of death and infant mortality in Africa, Asia and Latin America.

18. The welfare State, as Gunnar Myrdal observes in a study entitled "The place of values in social policy", 6/ is "a more than achieved situation" in developed market economies and has become an almost inevitable trend. Myrdal concludes: "Its further development can be slowed down for a time and occasionally even slightly reversed. But after such a stop it can be expected to continue its course." He adds: "Only in countries that are the most advanced as welfare States, and only in very recent years, has the idea emerged that welfare reforms, instead of being costly for society, were actually laying a basis for a more steady and rapid economic growth."

5/ Learning To Be: The World of Education Today and Tomorrow (Paris, UNESCO, and London, Harrap, 1972).

6/ Journal of Social Policy (Cambridge University Press, January 1972).

19. Improvements of economic and social conditions in socialist countries have brought about a vast increase in the enjoyment of economic, social and cultural rights by all citizens of those countries.

20. The present report shows that among aspects of social structure and social institutions that impede realization of economic, social and cultural rights by all, the following are important: excessive concentration of wealth and income; large areas of poverty or stagnation; marginality or actual exclusion from economic and social progress; lack of mobility (often associated with inequalities in educational opportunities and an inegalitarian social and power structure); discrimination against women; and other retarding traditions. The extended family and kinship system also often acts as an impediment in this regard, although it could, with proper planning and direction, be turned into an important instrument for realization of the rights concerned. Such aspects, as stated by the Meeting of Experts on Social Policy and Planning, "represent foci for further research, planning and improvement of policies". 7/ The present report also shows that there is a clear contradiction between effective realization of economic, social and cultural rights by all and that of maintaining the dominance of an economic, social and political élite.

21. As noted in the present report and as experience in some Latin American countries shows, a high growth strategy based on maldistribution of income and a poor network of social services is not conducive to sustained growth. In fact, social problems like the population explosion, social and political instability, insufficiency of purchasing power and lack of a reliable domestic market create bottle-necks in the way of a continuous and healthy economic growth. Concentration of wealth in the hands of a small group of landlords and entrepreneurs leads to the development of a market for imported luxury and semi-luxury items and a pattern of life aptly described by Thorstein Veblen as "conspicuous consumption" in the midst of absolute poverty and human degradation. Veblen maintained:

"The institution of a leisure class acts to make the lower classes conservative by withdrawing from them as much as it may of the means of sustenance, and so reducing their consumption, and consequently their available energy, to such a point as to make them incapable of the effort required for the learning and adoption of new habits of thought. The accumulation of wealth at the upper end of the pecuniary scale implies privation at the lower end of the scale. It is a commonplace that, wherever it occurs, a considerable degree of privation among the body of people is a serious obstacle to any innovation." 8/

22. Thus, any strategy based on income disparity prevents the nation State concerned from realizing the full potential of the capacities and capabilities of its citizens.

7/ E/CN.5/445, para. 13.

8/ Thorstein Veblen, The Theory of the Leisure Class (New York, Mentor Books, 1954), pp. 140-141.

23. The less developed countries bear the primary responsibility for their development; however, their efforts would be insufficient unless assisted by increased financial resources and more favourable economic and commercial policies on the part of the more developed countries. Under Article 56 of the United Nations Charter, all Members have pledged themselves to take joint and separate action in co-operation with the Organization to promote higher standards of living, full employment and conditions of economic and social progress and development throughout the world.

24. The Second United Nations Development Decade sets a target of a 6 per cent rate of growth for the less developed countries. To achieve this the industrialized countries were to devote 0.7 per cent of their gross national product to aiding the less developed countries. That goal was to be reached by 1975. Now, in the fourth year of the Decade, official development assistance to less developed countries is averaging out at only 0.34 per cent. Robert S. McNamara, President of the World Bank, in his address to the Economic and Social Council at its fifty-fifth session, stated that on the basis of available information this would not exceed 0.35 per cent even in 1975. He said that this remained the case in spite of the fact that the "achievement of the target would not require the developed nations to reduce their already high standards of living, nor neglect their domestic priorities".

25. The publicly guaranteed debt of the less developed countries currently stands at about \$80,000 million, with an annual debt service of approximately \$7,000 million. As the World Bank's President states:

"It is important to understand what the essence of the debt problem is. It is not the fact that there is debt, nor even the size of debt. It is, rather, the composition and dynamics of the debt; the fact that debt, and debt payments, are growing faster than the revenues required to service them." 9/

26. Hence one of the major difficulties facing most of the less developed countries in their efforts towards the realization of economic, social and cultural rights is the growing burden of external debt. This is, in part, a function of the acute shortage of official development assistance. As the President of the World Bank recently stated: "The current flow of this financial aid on concessionary terms is far below what the developing nations need. And it is far below what the affluent nations can readily afford."

27. As the Director-General of UNESCO rightly observes, it is "the hard political fact that the rich countries are unwilling to devote a greater share of their prosperity to assisting the poor." 10/

28. As a recent United Nations report states:

9/ Address to the Bank's Board of Governors, Nairobi, Kenya, 24 September 1973.

10/ UNESCO document DG/73/10, p. 2

"the current policies of the advanced countries with respect to foreign aid, foreign trade, foreign investment, immigration etc. ... are not always in the form that is most conducive to unified economic and social development of the third world." 11/

29. In the latest review and appraisal of the International Development Strategy the Secretary-General observes that "the International Development Strategy remains much more a wish than a policy". 12/

30. During the Second Development Decade, the annual GNP of the affluent nations will grow, in constant prices, from \$2 million million in 1970 to approximately \$3.5 million million in 1980. The President of the World Bank states that:

"In order to double the ODA flows, and thereby raise them to the targeted .7% the developed countries would need to devote to that end less than 2% of the amount by which they themselves will grow richer during the period. The remaining 98% of their incremental income would provide them with more than sufficient funds to meet their domestic priorities." 13/

31. Developments of the past few months, an important element of which is the world-wide crisis of energy, show, however, that times are changing and a new phase must begin to appear in the relations among nations, with requirements, needs, opportunities and responsibilities different from the past and the present. That will call for new policies, directives and attitudes, particularly on the part of the more developed countries in increasing official development assistance to the less developed countries.

32. The Special Rapporteur wishes to draw the attention of the Commission to a new departure on the operational side by the World Bank Group in which emphasis is given to activities in the fields of urban and rural development, nutrition, education and population. Subjects such as income distribution and other considerations affecting the quality of life of individuals are receiving ever growing attention in the planning, execution and evaluation phases of the Group's work.

33. This is not a time for pessimism or for optimism, but for realism. There is need, as always, for words of caution and constructive criticism. Facts must be faced and decisions courageously made, based on what comprises the interest of all and what is best in the long run for the welfare of man.

11/ E/CN.5/490, para. 10.

12/ A/C.2/L.1287, para. 32.

13/ Address to the Board of Governors, Nairobi, 24 September 1973.

II. CONCLUSIONS

A. GENERAL

34. There is an urgent need for a broad-scale attack on poverty, particularly in the less developed world. It is the responsibility of every country to recognize the inequities existing within its boundaries and to move to correct them. What the less developed countries need today is far-reaching radical reforms. Radical reforms are needed for rapid and steady development. Cosmetic treatment is far from enough.

35. The actual realization of economic, social and cultural rights is primarily the sole concern of each State acting by itself and determining its policies within the prevailing political, economic, social, cultural, legal and ideological setting, which is not the same in any two countries in the world. Therefore, each country is entitled to develop its own forms and methods for the realization of economic, social and cultural rights, although it can, of course, make use of successful experiences of other countries, if it so desires.

36. The most important prerequisite for the meaningful realization of all rights, in particular economic, social and cultural rights, is independence, territorial integrity and national sovereignty. No effort at economic or social development could lead to a more egalitarian and just society without independence, territorial integrity and national sovereignty.

37. Foreign models are not a satisfactory solution to the unique economic, social, cultural and political problems of each country. The best model is that which is made to suit the special circumstances and needs of the country concerned. In some cases, particularly in developing countries, the limited resources available and other factors, such as administrative problems and the scarcity of qualified manpower, will often make it advisable to establish priorities appropriate to the social, economic, political and cultural conditions and circumstances of the country concerned.

38. Scarcity of means and resources imposes choice and makes it necessary to lay down priorities. From the point of view of social development and human rights, the priorities dictate a series of balances, such as the balance between the various levels of education, between technical and liberal education, between country and town, between skills and jobs, between poor and rich regions, between present and future.

39. The Special Rapporteur believes, as does the Meeting of Experts on Social Policy and Planning, that the implementation of the concept of minimum level of adequacy in each country is essential in guaranteeing economic, social and cultural rights to all. The Meeting of Experts recommended that:

"the elaboration of a minimum level of adequacy, including levels of adequacy for young children, should be undertaken both within countries and in the United Nations ... This will involve combinations of statistical analysis with penetrating social-cultural analysis. The concept of a minimum level

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cannot be based on per capita GNP, which is misleading even at the country level. It must not be confused with the concept of minimum wage legislation. In some countries a minimum level of adequacy may have to be defined separately for different regions or groups, to take account of socio-cultural differences." 14/

40. A major prerequisite for effective realization of economic, social and cultural rights in the less developed countries today is peaceful, radical social change, as speedily as possible, which would permit all human and material resources of the nation full and dynamic participation in the process of development. Rapid modernization by necessity requires institutions which would make popular participation more effective. In this connexion the Meeting of Experts on Social Policy and Planning has emphasized:

"A special effort aimed at the process of making women politically aware and to make them more effective participants in determining the directions of social change is needed. For many societies the problem of making women politically and socially active needs special attention within a broader programme of increasing participation." 15/

41. The emancipation of women in fact as well as in law is an absolute precondition for their effective participation in planning and carrying out policies and plans towards enjoyment of economic, social and cultural rights by all without discrimination of any kind.

42. A field in which extensive research, training and attention is most urgent for the equal realization of economic, social and cultural rights by all is increasing popular participation and "animation" in regard to policies, planning and development. An identification with development goals and methods would diminish the sense of alienation from society, particularly among young people, who constitute the bulk of the population of the less developed countries. To ensure participation in implementation it may also be necessary to give a sense of participation at the stage of plan formulation.

43. The success of an economic and social plan that aims at the creation of a more egalitarian distribution of income and consumption and at guaranteeing social welfare depends on the creation of a political power structure conducive to these aims. Otherwise in practice goals and aims will change character since those who can exert power, either openly or covertly, are apt to change plans to suit their own desires and interests.

44. This calls for governmental decentralization, together with central guidance, assistance and control. It should not lead in practice to the creation of power-hungry government officials throughout the country.

14/ E/CN.5/445, para. 36.

15/ Ibid., para. 22.

45. Without political development the desired economic and social development cannot take place. In other words, political development is the precondition for arriving at the desired rate of economic and social progress, quantitatively as well as qualitatively. Political development may be defined as creation of a political system capable of satisfying the needs and requirements of economic and social progress. The political apparatus must be reformed so as to be capable of assuming its present and future responsibilities in the effective realization of economic, social and cultural rights.

46. Even in the economies where enterprises are freest, government has historically played a crucial role in the process of economic development. The critical role of government in this process is now acknowledged by economists of almost all ideological persuasions. In the less developed countries, no matter what their different political systems may be, Governments will have to assume the leadership in removing the major institutional barriers to development while planning for the respective roles the public and private sectors must play in this process. When government bureaucracy itself becomes one of these institutional barriers to the development process, as is the situation in some less developed countries, one is faced with a serious bottle-neck that calls for utmost attention. The modernization of public administration with the aim of reorienting it towards development tasks is therefore a major goal of development-minded politicians and public servants.

47. One of the great paradoxes facing most of the less developed countries is that their newly formed Governments - that is, the Governments with the least experience - are typically faced with the severest loads. A small ill-trained bureaucracy is often called upon to prepare and implement programmes that would stagger the capacity of some of the world's most developed administrative systems.

48. Most of the less developed countries have, over the past two decades, been formulating policies and guidelines for administrative reforms intended to rationalize the unwieldy, in most cases overstaffed, and ill-motivated bureaucracies that hamper the desired development towards effective realization of economic, social and cultural rights. This is the time for bona fide implementation of those policies and guidelines.

49. To correct the ills of the past, the less developed countries are in need of far-reaching radical reforms for rapid and steady economic and social development. Cosmetic treatment is far from enough. First in order of priorities is land reform. Without it inequalities in the rural sector and between the rural and urban sectors are apt to increase. The educational system and the system of government administration are, as already pointed out, in urgent need of reform. Myrdal rightly says in this regard: "The 'soft State' should be changed into an effective strong State".

50. Radical reforms in the less developed countries must be based on social justice, national consolidation and solidarity, full and equal participation of women in the economic, social, political and cultural life of the country, equitable distribution of income, wealth and services, bringing rural and urban income levels closer together, creating increasing respect for manual work, removal of any kind

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of discrimination in fact as well as in law and decentralization of decision-making and the system of government within the framework of a strong central Government, as well as a unified national development plan. The creation, expansion and consolidation of links between labour and ownership in industries, the training of skilled workers, a radical change of educational system implying an increase in not only the quantity of schooling but also its content and its very spirit, the stamping out of corruption and the creation of more social discipline throughout society are essential to faster economic and social development. Without a sufficient core of well qualified, dedicated and honest administrators, realization of economic, social and cultural rights would fall behind. Exercise of social discipline as well as the people's participation in all walks of life is the corner-stone of success in implementing economic and social plans aimed at speeding up the enjoyment of economic, social and cultural rights by all.

51. Policies designed to protect economic, social and cultural rights are directly related to population policies in the area of the reconciliation of individual rights and responsibilities with regard to fertility, morbidity and mortality, and location. They are in addition indirectly related, since the success of both is dependent upon the achievement of economic and social justice. The objective of population policies is to contribute to the removal of problems that have arisen because of an imbalance or disequilibrium between demographic behaviour and social and economic behaviour in national societies. The means of their achievement is the modification of the fertility, mortality and location behaviour of the population. Although to a considerable extent contemporary problems are influenced by the inertia of earlier demographic events, to a predominant degree they result from inconsistencies within economic and social systems. In particular, maldistribution of national wealth, including the denial of basic services to underprivileged populations, and the failure to bring about needed structural changes, such as land reform, are responsible not only for the problems themselves - whether sterility, subfecundity, unwanted children, induced abortion in substandard conditions, denial of information and materials needed for contraception, high morbidity, low life expectancy, unsatisfactory location - but also for the constraints and difficulties of formulating and implementing appropriate policies. Thus both the protection of individual economic, social and cultural rights and the resolution of problems associated with population are dependent upon the successful achievement of appropriate social and economic policies. However, the relationship is not a passive one, for the formulation of appropriate policies in the areas both of individual human rights and of population can effectively contribute to the solution of inconsistencies in the social and economic structures of countries.

52. The importance of research in planning policies for effective realization of economic, social and cultural rights, particularly in the less developed countries, cannot be overemphasized. In this connexion the Meeting of Experts on Social Policy and Planning concluded:

"In identifying social bottle-necks and the mechanism by which they affect development, the role of research is obviously great. However, this research must be specific to the individual country and the Group would

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emphasize training, technical assistance, field work and strengthening of local institutions rather than broad general research. In addition the United Nations can compare experiences and help people from different countries to exchange views and experiences." 16/

53. One area where higher expenditure on research and development is essential in the less developed countries is agriculture. The green revolution has demonstrated the importance of specifically developed agricultural technology. However, it is now understood that biological technology is not readily transferable between regions and that each region has to develop the technology most suited to its local conditions. It will be useless to invest in extension services where the new technology to be transmitted to the farmers is not available or is not relevant. Therefore the less developed countries need to place more emphasis on the expansion of agricultural experiment stations throughout the country.

54. Rural public works, credit and marketing and extension services - agricultural inputs which must be provided as an integral part of an effective land reform policy - are an absolute necessity in the less developed countries and need to be directed by a conscious social policy. Rural education (including adult education) and health care and sanitation are basic in harmonizing land reform with other agricultural policies and making it a real instrument of social change and progress.

B. PARTICULAR ASPECTS

1. Unified national development planning

55. Today many countries of the world, particularly the less developed countries, are in need of a strategy of development that gives at least equal weight to the qualitative aspects of development. This calls for the adoption of a unified development planning approach which would place particular attention on the problem of a progressive realization of economic, social and cultural rights. Traditional approaches to development and development planning are no longer adequate to the task of changing a social system of "under-development and poverty" that has to be fundamentally altered institutionally and on all sides. Benjamin Higgins states:

"It is clear that the whole planning operation must be much more interdisciplinary and cover much wider ranges of professional knowledge than has typically been the case to date, if a truly unified approach is to be pursued." 17/

56. This approach is needed in order to incorporate the social and cultural factors of development into the elements that make up the matrix of variables in comprehensive development planning. Some obvious implications of the unified

16/ Ibid., para. 14

17/ See "Nature of the unified planning approach: technical and institutional implications", paper for a United Nations Research Institute for Social Development correspondence course, Geneva, 14-16 April 1971.

approach to development relate to the need for planners to be wary of the use of simple aggregate economic models and easily quantifiable variables, which have tended to encourage the exclusion of important social and cultural factors of development, such as nutrition, income distribution and popular participation in decision-making, from economic development models. The implications of a unified approach for the training of planners means avoiding excessive specialization and compartmentalization. Development is not everything. It should be considered only as a means to the attainment of other goals. Without development, however, the rapidly growing masses of the third world will remain deprived of the most elementary economic and social rights. There is a need for a new approach to development.

57. The unified development approach requires that human and social goals be given pride of place. The concern is essentially to meet the needs of the mass of the population and to ensure that the development process embraces the goal of greater equity and justice. As stated in a recent United Nations report: "In unified development, the very core of 'planning' is to mobilize the population for developmental tasks and ensure that the unified approach is a societal process". 18/ A unified approach to development "means development for the people and through the people". The report goes on to state:

"Certain patterns of economic growth are more conducive to the attainment of social goals than other patterns, and certain types of social programmes are of greater assistance to economic growth than others. It is one of the major tasks of a unified approach to identify these complementarities and to make use of them in formulating strategies of development." 19/

58. At the heart of the new approach is the concept of the broad-based development strategy. This means the establishment of a set of institutions that give the underprivileged an opportunity to take part in the decision-making process. In this context one may distinguish between "dual" and "modernizing" Governments. In a "dual" society important decisions are made at the top. "Modernizing" Governments, on the other hand, bridge the gap between traditional élites and what ought to be the "rising mass of the nation". 20/ In "dual" societies the mass of average citizens exert very little influence on public affairs and Governments achieve economic growth with little trust in the ability of their people. Investments and profits are in the hands of a few. Small farmers, artisans, businessmen do not have access to the means of production, the financial system, the market and the knowledge base. In "dual" societies, Governments have not learnt that it is difficult for a single individual to grasp, however eminent he may be, everything and to govern from a distance; "modernizing" Governments, on the other hand, do not work directly with the great mass of the people. They work with local institutions. They rely on local leaders who work with the people. The relation of Government and citizens evolves along lines of mutual confidence and respect. The delegation of decision-making does not mean that local

18/ E/CN.5/490, para. 21.

19/ Ibid., para. 27.

20/ Edgar Owens and R. Shaw, Development Reconsidered: Bridging the Gap between Government and People (Lexington, Mass., Lexington Books, 1972).

governments are free to do as they wish. The central Government is alert both to restrain and stimulate. The control of the central over the local government is threefold - judicial, legislative and administrative. Local authorities are in no real sense autonomous; if they exceed their powers or neglect their duties, they may find themselves in conflict with law, with parliament, or with one or more central administrative departments. Three essential parts of problem-solving institutions are:

(a) A decision-making system that permits decisions to be made by appropriate local institutions;

(b) A system of establishing at pivotal centres a base of pragmatic knowledge accessible to masses, so that decisions are based on experience and applied knowledge; and

(c) Effective linkages in planning and financial and technical terms between different layers of the system (the multifaceted relationship between central, provincial and local governments).

These elements are absent in "dual" societies.

59. In successful "modernizing" economies six basic tenets prevail, albeit flexibly. First, the national Governments lay down the policy framework. Secondly, there is a clear identification and definition of functions that are delegated to regional and local governments. Thirdly, central Governments prescribe minimum standards of performance and enforce them through supervision, inspection, auditing the accounts and imposing sanctions if the norms are violated. The central Governments see that the "modernizing" institutions work for the benefit of the masses and not for that of a few individuals. Fourthly, central Governments establish a modern problem-solving mechanism at the local level so that the mass of the people can learn how to solve technological problems. In a nutshell, this entails definition of minimum performance norms, conditions of access for small producers to sources of finance, market, advice, etc., viable local governments, co-operatives and other local institutions. Fifthly, central Governments actively promote the development of local leadership. The creation of a large number of leadership positions may well lead to a loosening up of the stratified social structures that are characteristic of traditional societies. Sixthly, authorities provide sufficient incentives to induce a gradual transfer of loyalty from traditional to modernizing institutions. The new institutions aim at mitigating the incidence of irrationality syndrome so characteristic of some of the village communities, enlarging the very small world in which villagers live and through participation making the villager realize that the interest of the community is more important than that of the traditional family and factional ties.

60. In the economic field, the major thrust of the "modernizing" societies is the creation of work opportunity for everyone. Full employment gives everyone a chance to partake of the fruit of the country's development. Labour productivity is not developed in a lop-sided fashion so that some earn fat wages and others a meagre pittance. Consequently, a modernizing society does not subsidize the use of capital and, therefore, the import of labour-displacing technologies at the expense of the unemployed and the underemployed. In fact, these policies are an integral part of the income distribution strategy of a "modernizing" economy.

61. An appropriate strategy of unified national development in the less developed countries also includes the following essential elements: (a) a high priority for national independence; (b) a high priority for economic growth; (c) a high priority for social justice; (d) safeguarding of individual freedom and initiative; (e) national mobilization through political participation; (f) international and regional co-operation for trade and development; and (g) safeguarding of the human environment against thoughtless exploitation of nature.

62. Although the literature of development is as rampant with dispute and controversy as the process of development itself, there seems to be a growing consensus as to the essential features of the process. The term unified national development suggests two things: first, that the process is multidimensional, comprising economic, social, political and cultural aspects; and secondly, that it takes place within the framework and particular conditions, facts and realities of a nation-State. Different nations have taken widely divergent paths in this regard. The following development features, however, seem to be essential to the process: (a) increasing national and per capita income; (b) increasing social welfare and justice; (c) increasing national consolidation and solidarity; (d) increasing structural-functional differentiation; (e) increasing national autonomy; (f) increasing subnational autonomy; and (g) increasing civic and political identity and culture.

63. High growth rates alone are therefore no guarantee against worsening poverty and human degradation. Social justice, defined as the increasing equality of wealth, income and opportunity, is not an eventual outcome of economic growth. It is rather an essential prerequisite to integrated and sustained national development. There is substantial evidence that those countries that have chosen a strategy of development giving high priority to social justice, considering man as the subject rather than the object of development, as the end rather than the means of economic progress, have not suffered in terms of their economic growth. On the contrary, they have proven to have better prospects for a self-sustaining and integrated national development than those which have placed main emphasis on economic growth.

64. The new perspective ultimately calls, therefore, for taking the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on Social Progress and Development and their ancillary documents not simply as declarations of pious aspirations but as the first order of business in unified national development efforts.

65. Given the present conditions of most less developed countries, with the general scarcity of capital and the abundant supplies of labour, their strategy for national development seems to require the following elements:

(a) A high-employment strategy with the choice of labour-intensive technologies wherever possible;

(b) The provision of widely spread minimum social services (including compulsory elementary education, free medical care, and housing and community facilities) commensurate with the level of per capita income a country has reached;

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(c) The invention of soft and intermediate technologies to bridge the technological gap as well as to protect the environment;

(d) The creation of institutions and mechanisms of popular participation in the development process through bona fide labour unions, professional associations, political parties and other institutions that are appropriate to the social and cultural conditions of each country;

(e) A policy of non-entanglement in international power struggles; and

(f) The maximization of regional and international co-operation for trade and development, as well as for economic and technical assistance.

66. The Meeting of Experts on Social Policy and Planning in its report to the United Nations Commission for Social Development states:

"It has been common in the past to draw a distinct line between economic phenomena on the one hand and social ones on the other, opposing social to economic development, economic objectives to social objectives and economic factors to social factors, etc. This is partly due to the rather narrow approach to the development process characteristic of past thinking in economics which relied heavily on simplistic econometric models with highly aggregated variables. This school of thinking has influenced planning methods and techniques on the national level (in the developing countries) and also economic projections of a wider scope as well as the work of the United Nations in this area. This approach using relatively simple models with easily quantifiable variables, such as GNP, capital investment, exports and imports leads to a neglect of certain very important factors and aspects of the development process. Thus neglected are all matters relating to differences in income and levels of living - between classes, regions, sectors, age groups, town and country - matters relating to human development - health, education, children - and matters relating to consumption - nutrition, housing, social services. To these neglected factors should be added the crucial problem of social stratification and many other aspects outside the sphere of the narrow economic models, particularly the vast underutilization of labour. Considering the great importance of those aspects for the development process, the Group believed that the time had come when the economic approach to development analysis and planning had to be integrated with a social approach which was different in nature and would be more relevant to the problems of developing countries in the coming decade.

"It should be stressed that economic phenomena are, in fact, social phenomena: they are social in nature, are socially conditioned and have social consequences, and any development planning, if limited to economic interrelationships and neglecting social conditions and social implications, is bound to be misleading ... It is most necessary to view the development process as a complex whole, comprising economic elements sensu stricto, but also other social as well as political and administrative elements. Any design for a development strategy, national or international, has to cover

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all the above-mentioned fields if it is to be meaningful, internally consistent and capable of effective implementation." 21/

67. The American sociologist Daniel Bell states: 22/ "Every society today is consciously committed to economic growth, to raising the standard of living of its people and therefore to the planning, direction and control of social change."

68. Planning, whether short-term, medium-term, or long-term, must involve programmes based on numerical indexes of the progress made and the progress to be made in the matters of full employment, distribution of income, per capita income, health, education, food, housing and culture, as well as removal of major discrepancies between regions and between different sectors of the economy.

69. Development plans should above all contain explicit employment objectives on a fairly specific regional basis. Regional planning should be closely associated with over-all social planning. Polarized growth should be avoided. Action on behalf of depressed regions should not obscure the problems of inequality of income distribution within the depressed regions themselves, and should also focus upon the poorer groups within them.

70. In planning for economic and social development, the need for a better dialogue and more confrontation between planners - those researching the problems - and the political decision-makers is urgent, since "many plans suffer in implementation from a lack of commitment by the decision-makers to the published or promulgated plans". 23/

71. A unified national development plan should therefore provide for all a purposeful and continuous education, an acceptable standard of health and nutrition, proper housing, social insurance and social welfare and the right of individuals to participate in social, cultural and political activities. These desiderata should be considered not as the by-products of economic growth to be postponed for later stages of development but as the basic policy tools for mobilizing human resources, a type of resource that the less developed countries have in abundance but utilize the least.

72. It needs to be emphasized that the problems posed by development cannot be seen independently from population. The principles embodied in the concept of a broad development strategy as enunciated above, the nature of its component elements and of the basic policy tools for mobilizing human resources require more than ever a more adequate comprehension of the nature and consequences of demographic trends for development and of the socio-economic determinants of

21/ E/CN.5/445, paras. 5 and 6.

22/ In his introduction to Herman Kahn and A. J. Wiener, The Year 2000 (See United Nations publication, Sales No. E.71.II.E.3, p. 7).

23/ E/CN.5/445, para. 15.

population growth and distribution. It is evident that population trends and policies form an integral part of a unified development strategy. Policies aimed at influencing population growth or distribution, however designed, cannot by themselves solve the development problem and should therefore in every case be an integral part of the development effort. By the same token policies aimed at the development of the poorer nations, social justice and greater opportunity for the underprivileged cannot be effectively formulated or implemented without regard to demographic conditions and trends.

73. As has already been pointed out, social services are not necessarily competitive with productive sectors in so far as financial resources are concerned. They are rather complementary, in the sense that they aim at the elimination of bottle-necks for increasing labour productivity. Besides, expenditures on social services may have to be financed by application of a progressive tax policy or out of savings in military and other ordinary expenditures. Allocation of military personnel and facilities for illiteracy campaigns, technical training, health services, etc., as undertaken by some countries, is also a form of such savings.

74. As tables 3.39 and 3.40 of part two (E/CN.4/1108/Add.2) indicate, it is not beyond the ability of the less developed countries to spend as much as 40 per cent of the total public resources on social development and services (see for instance the figures for the Philippines, Sri Lanka and Mauritius), provided that social progress becomes a firm belief of political leaders and also an integrated part of the national plans.

75. Finally an over-all plan for social and economic progress embracing all segments of the population with no differentiation with respect to sex, race or ethnic group, religion, language, place of birth, or national or social origin sets the basis for national integration and consolidation, which is in turn fundamental for national independence and development.

2. Poverty

76. The present study shows that income distribution patterns are severely skewed within most of the less developed countries. The problem is of such human dimensions that it requires immediate action by Governments of virtually all less developed countries. It also calls for further appropriate action in many of the more developed countries.

77. Absolute poverty, a condition of life so debased by disease, malnutrition, squalor and illiteracy as to deny its victims enjoyment of minimal standards of basic human rights, constitutes the sad lot of at least 40 per cent of the entire population of the less developed countries. That is at least 40 per cent of the nearly 2,000 million inhabitants of Asia, Africa and Latin America. They are in fact denied the enjoyment of all human rights and freedoms, in particular economic, social and cultural rights. Despite a decade of unprecedented increase in the gross national product, the poorest segments of the population of the

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less developed countries survive on incomes estimated in United States purchasing power at 30 cents per day. One third to one half of over 2,000 million human beings living in Asia, Africa and Latin America suffer from hunger and malnutrition. From 20 to 25 per cent of their children die before the age of five. Their average life expectancy is 20 years less than it is in the more developed countries. They have over 800 million illiterates and their number is constantly growing.

78. The most pressing duty of the Commission on Human Rights lies in placing the weight of its moral authority behind a world-wide campaign for elimination of conditions of mass poverty. Since it has been proved that the more egalitarian its income and wealth distribution the better a nation copes with the guarantee of at least minimum standards of economic, social and cultural rights for all of its citizens, the Commission could recommend that all countries, and in particular the less developed, should institute necessary measures so that the distortion in income distribution within them would at least stop increasing by 1975 and begin to narrow within the last half of the present decade.

79. Though each country would need to study its own situation, define its objectives and goals, choose its indicators and determine the relevant unit for planning, there is also need for countries to determine minimum universal standards. If it is difficult to define and quantify international poverty norms and minimum standards of living consistent with human dignity, then the conditions within each country or within groups of countries with which poverty is mainly associated should be studied with a view to their elimination.

80. As Mr. McNamara has said:

"Our goal should be to put an end to absolute poverty by the close of the century: an end to massive malnutrition and illiteracy; a reduction in infant mortality; and a lifting of life-expectancy standards to those enjoyed in the developed nations."

3. Land reform

81. As part three (E/CN.4/1108/Add.3) shows, while some owners have large tracts of land which they do not cultivate, peasants remain underemployed and poor because they have no land. A recent FAO survey indicates that in most of the less developed countries 20 per cent of the landowners own between 50 and 60 per cent of the cropland. In Venezuela, they own 82 per cent; in Colombia, 56 per cent; in Brazil, 53 per cent; in the Philippines, India and Pakistan, about 50 per cent. Tenancy arrangements, as the President of the World Bank stated in his address to the fifty-fifth session of the Economic and Social Council, "are generally insecure, and often extortionate: in many countries the farmer must pay over half or more of his crop as rent, and yet he is constantly under threat of eviction".

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82. Implementation of land reform in less developed countries in favour of farmers, who form the majority of the population, means uprooting the feudal lords from the ruling circles of these countries. It would result in winning the support and active participation of the masses, especially the workers and the farmers, in the implementation of economic and social plans intended for creation of a more egalitarian society. The harmonization of land reform with measures to increase agricultural employment is necessary. Such measures would particularly benefit the small farmers as well as landless agricultural workers.

4. Employment policy

83. Tens of millions of people in the prime of active life are unemployed and hundreds of millions more are underemployed in Asia, Africa and Latin America. This problem will become even more grim unless massive measures are undertaken. A 1972 report of the International Labour Office shows that unemployment increased during 1971 in two out of every three of the 50 countries for which statistics were available. At the same time, consumer prices rose more rapidly than in the preceding two years in two countries out of three. The real wages kept pace with price increases in most countries.

84. The Special Rapporteur considers the following excerpt from the report of the Meeting of Experts on Social Policy and Planning fully relevant to the question of realization of economic, social and cultural rights and commends it to the attention of the Commission:

"The fact that development either leaves behind, or in some ways even creates, large areas of poverty, stagnation, marginality, and actual exclusion from economic and social progress is too obvious and too urgent to be overlooked. It must enter into the analysis and approaches of the United Nations through the front door, and not through the back door of modification of approaches in terms of more simple and often spurious national aggregates and averages. Particularly ominous and perhaps the central problem of the Second Development Decade is the dualism created through the existence of heavy and rising unemployment in town and countryside. Unemployment is taken as including all forms of under-utilization of labour - that part of the labour force which does not work at all, that part which works for short hours per day, or short days per week, and that which works at low levels of efficiency. Fundamental to it are questions of population growth on the one hand, and the present lack of modern labour intensive technology on the other hand. Both these problems should be dealt with as part of an integrated social policy directed towards the key issue of employment policy.

"In a broader sense, the lack of satisfactory or even positive feedback mechanisms between agriculture and industry, modern and traditional technology, town and country, advanced and retarded regions, and upper and lower income groups, continues to hold back the development of the poorer countries and prevent their national integration. Questions of social

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structure and social institutions are important factors causing absence of such feedbacks, and together with the dualistic framework, this concept of feedbacks represents another approach in analysis and planning." 24/

85. The development strategies of the less developed countries should pay particular attention to the maximization of employment in the different regions of the country concerned as one of their primary goals.

86. Contrary to the generally held belief, there is significant scope for the development of the capital goods sector in many less developed countries; this sector tends to be more labour intensive than the consumer goods sector, primarily because the latter is based on mass production, while the former relies on individual order. Thus the capital goods sector is characterized by a large number of small specialized firms. The development of this sector is essential not only because of its effect on the employment situation but also because of its contribution to the domestic development of technology.

5. Population

87. Particularly with regard to fertility, morbidity and mortality, and location, it is essential that Governments give appropriate attention to the need to achieve an acceptable compromise between the rights and the obligations of individuals, and between the desire of the society as a whole for economic and social progress and the rights of individuals. Thus, with regard to the right of individual parents to choose the number of children in their completed family, Governments have both the obligation of providing all protection and assistance necessary for the achievement of such individual goals, including information and means of contraception and protection from conditions causing sterility and subfecundity, and also the obligation of providing such information as will enable parents freely and responsibly to change their goals for their own and their children's future welfare, and for that of the society as a whole. Thus the individual's right to choose the size of his completed family must be tempered by an obligation neither to restrict nor to enlarge the number of children to the extent that resultant social or economic processes bring about a reduction in the ability of other members of society to achieve their own individual rights, particularly rights to education, an adequate standard of living, health and employment.

88. With regard to the right of the family, motherhood and childhood to protection and assistance, individuals have the obligation not to take advantage of the availability of government benefits and services in order to have large families if this is inconsistent with the requirements of society. Conversely Governments have the obligation not to use the threat of their withdrawal to coerce parents in the matter of their desired family size. Rather, Governments and individual

24/ E/CN.5/445, paras. 11 and 12.

citizens should achieve an appropriate consensus concerning the proper compromise between rights and obligations. It is emphasized that achievement of such a compromise is dependent upon the existence of mutual confidence between Government and citizens. This confidence cannot coexist with social injustice and extreme inequality in the distribution of national wealth.

89. With regard to the right to an adequate standard of living, and the right to the enjoyment of the highest attainable standards of physical and mental health, it is the obligation of Governments to achieve equal and rapid access to health services and to seek in their locational policies to avoid the concentration of population in high health risk regions. It is the obligation of individuals, when improvement in health results in higher levels of maternal and infant survival, to make use of effective contraception in order to avoid inappropriate increases in the size of families and in rate of population growth. It is also the obligation of Governments to ensure the accessibility of information and material needed for efficient practice of contraception to all individuals, including the least privileged, and if such provision is delayed, then to make possible recourse to induced abortion in acceptable conditions in cases of unwanted pregnancies. With regard to the right to education, Governments have the obligation to make accessible to all individuals education and information concerning human reproduction, family formation, maternal and child health, family welfare, and the implications for society of individual fertility behaviour. Conversely, individuals are obliged to seek and use such information for their own and society's benefit.

90. With regard to the right to work, the individual's right to freedom of choice of residence and of place of work must be protected and at the same time tempered by the responsibility to choose that place of employment, and hence residence, which will permit his greatest contribution to the achievement of society's objectives in social and economic development, and certainly not to choose a place of work that will result in the denial of his contribution to society. On the other hand, Governments have the obligation to provide appropriate employment for populations at their preferred place of residence, as far as is possible within the context of its over-all societal obligations. In particular, Governments have the obligation of removing the need for involuntary migration of family members without their dependants, and for labour to commute over long distances.

91. In summary, it is necessary for Governments to give the closest attention to the development of population policies - including not only fertility policies but also those concerned with morbidity and mortality, internal distribution and international migration - which will permit the best compromise between individual rights and social obligations in the context of rapidly changing and complex situations. In many instances such policies will have to be innovative and may break not only with some traditions of society but with current views of growth, development and modernization. Governments are urged to consider the benefits of borrowing from the experience of other countries, including the borrowing of specific policies and measures from countries whose total ideological approach to development might not be fully acceptable.

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6. Education

92. Although the percentage rate of illiteracy has declined everywhere, the absolute number of illiterates has increased in Asia and Africa. Today there are over 800 million illiterates in Asia, Africa and Latin America and their number is increasing. In these countries the illiteracy rates continue to be very high among women as well as among the rural population. That is because the illiteracy campaign has focused more on men and on urban population than on women and on rural population. Although adult education is a must in aiming at general literacy in a reasonably short time period and in order to make school education of children effective, it has been neglected in most of the less developed countries. Owing to many factors, as explained in part two of the study (E/CN.4/1108/Add.2), the enrolment ratios as well as school standards at the primary, secondary and tertiary levels of almost all the less developed countries are quite low. Generally speaking, what is sought by pupils and students is status and degrees and some preparation for desk jobs. As Myrdal observes: "The whole school system is thus antidevelopmental. It swells the ranks of administrative personnel, particularly in the lower brackets, and the 'educated unemployed', who do not want to soil their hands."

93. The educational system in most of the less developed countries is only remotely relevant to the requirements of these countries. It has developed alongside economic growth rather than contributed to it. On the whole the system remains general, academic and non-vocational as in colonial times. Its aims and purposes are not clear. The less developed countries urgently need to restructure their education system in order to make both content and method more relevant to local development needs and the roles that school-leavers are likely to be called upon to play. New emphasis should be given to science-based subjects, to agriculture, to technical training, to functional literacy, and to education outside the formal school framework. 25/

94. Today it is generally agreed that the linear expansion of education alone cannot provide the solution to the problems of the present and the near future. As the Director-General of UNESCO observes, this has been found to lead to socially intolerable contradictions:

"the lack of any proper link between education and employment, evidenced by the under-employment of graduates; the prohibitive cost of a sector which is of benefit only to a fraction of the population and which compromises the development of other sectors; the failure to adapt the content of education to real situations; the rigidity of structures contrasting with the needs and aspirations of an evolving society; internal inefficiency resulting in the dropping out during their studies of a growing number of young people who are left without qualifications". 26/

25/ E/AC.54/L.51, p. 7.

26/ UNESCO document DG/73/10 (statement to the Economic and Social Council, 6 July 1973).

95. Education should no longer be thought of in terms of developing narrowly defined skills and satisfying the manpower needs of the economy, but of developing the whole man to the full breadth and scope which his potential encompasses. Furthermore, it should no longer be thought of as a task for a period of one's life but as a continuing process for all life. In technological development, less developed countries should no longer automatically adopt the Western imported technologies that tend to alienate men from the fruits of their own labour but should try to devise technologies that give full scope to human individuality and creativity.

96. The economic and social status of teachers seems to have deteriorated in recent years in most less developed countries as a result of inflation and other factors. This has had the effect of discouraging capable people from joining the teaching profession. In addition, the training provided to teachers is often archaic and inadequate for a modernizing society. These deficiencies were also noted by the Meeting of Experts on Social Policy and Planning. They have to be urgently corrected if teachers are to play the dynamic role expected of them in the process of development.

97. On the question of anti-illiteracy campaigns, the experience of the Iranian Education Corps, which, together with the Health Corps and the Development Corps, has within the last 10 years sent some 215,000 young men and women into villages to combat illiteracy and assist villagers in various fields of social and economic development, may prove useful in other parts of the less developed world.

7. Health protection

98. There is an urgent need for a national health protection scheme in all less developed countries and in those developed market economies which have not yet instituted such a system. All countries, particularly the less developed, should pay increasing attention to training of more doctors, nurses and other auxiliary medical personnel. There is a pressing need for construction of more clinics, hospitals and health care centres, particularly throughout the less developed countries. These countries need to pay more attention to preventive measures without in any way neglecting expansion of curative facilities. In most countries, particularly in those of Asia, Africa and Latin America, there is need for radical reforms to improve the system of health protection. For countries of Asia, Africa and Latin America, the Chinese network of health protection systems and experience might prove valuable.

8. Culture

99. A recent UNESCO study states that in the more developed countries "the rising standard of living, the spread of education, the advent of the mass media, the increase in leisure and improvement in social and other conditions have given the vast majority of people unprecedented opportunities for cultural advancement". Paradoxically, technological and scientific achievements of these

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countries have caused upsets and disturbances in living conditions as well as in the mental outlook of individuals proportionate to the benefits they have brought with them.

100. As the study observes:

"Machines have indeed altered the relationship between man and the world; and the acceleration of change has transformed notions of value by blowing apart the closed systems of the village, the family, occupations, beliefs, etc., more than ever before causing societies to be concerned about the way they are heading and man to wonder about the very purpose of his existence.

"It is just such distressing uncertainties that cultural action may allay by helping the individual to cope with such change, to experience it as enrichment rather than suffer it as mutilation, by enabling him to rediscover his identity, his roots, his independence, and to discover authentic causes to which he can commit his life. Because it affects every aspect of the life of man, i.e. of societies, because the quality of life is indivisible, cultural action is among the primary duties of states." 27/

101. Boutros-Ghali states in an article on cultural rights 28/ that it would be a mistake, when defining the concept of cultural rights in a less developed society, to follow exactly the same lines as those applying to a consumer society. The right to culture cannot have the same content in the less developed world as it has in the more developed. In the consumer society, he says:

"1. The practical realization of cultural rights must allow a larger participation of man in the communal life to make up for the mechanization and anonymity of industrial society. One might speak of arriving at a shared management of industrial society through the influence of culture.

"2. Implementation of cultural rights must enable man to free himself from the grip of publicity by giving him the means to contest and to discriminate between the different sources of information.

"3. A consequence of effective cultural rights is to make known to the consumer society the existence of other societies and other cultures ... /so/ as to bring them to a better understanding of their interdependence.

"4. The wider spread of culture will also allow the consumer society to pay more heed to the dangers of its power and to the vulnerability of

27/ UNESCO document SHC/EUROCULT/4, 30 March 1972, pp. 2-3.

28/ B. Boutros Ghali, "The right to culture and the Universal Declaration of Human Rights", Cultural Rights as Human Rights, Studies and documents on cultural policies, 3 (Paris, UNESCO, 1970), SHC.68/XIX.3/A, p. 74.

any civilization. In short, full development of the cultural rights of a consumer society must lead it to restrain its desire for power and to understand better the determination to exist of the developing societies." 29/

102. As has been rightly observed, 30/ the content of cultural rights in a less developed society is closely linked with the political right of self-determination and with the enjoyment of the right to an adequate standard of living and the right to education. That is, a practical education which helps the individual to overcome the curse of poverty, which is his lot, before being concerned with his culture or that of the community. Thus the right to culture for the poor begins with their liberation from subjugation, poverty, disease and illiteracy.

103. A minimum of material well-being is therefore needed if the very notion of culture is to have the least significance. There are cultural variations or "subcultures" within each society. These often coincide with social stratification such as "middle class cultural values", "rural culture" and "the culture of poverty". Cultural inequalities within the same society are the result of social inequalities. By removing social inequalities one paves the way for a more effective realization of cultural rights by all within any given society.

104. The Director-General of UNESCO says that "the recognition of the right to culture as a human right marks the end of culture as an object and of culture for élites, quite as much as of the laissez-faire abstentionist attitude of the State in cultural matters". 31/ He says elsewhere 32/ that:

"Culture offers each of us the means of recovering his identity and his capacity for creation and expression; when the new systems of communication, the so-called mass media, subject the individual to a stream of undifferentiated information and turn him into a passive spectator, culture offers each of us the means of finding his own place in the world, appreciating what is happening, and reacting; when the pressure to consume turns the individual into a conditioned being, culture offers each of us the means of choosing, of refusing any form of subjection, of preferring reflection to reflexes; when urbanization cuts off the individual from his roots and traditions, culture means being able to re-establish links with his own inheritance, while gaining access to the cultural heritage of all mankind. Lastly, when man in post-industrial society asks himself what he is doing on earth, culture can give him guidance in seeking a reply.

"It is thus apparent that culture today amounts to more than merely a few

29/ Ibid.

30/ Ibid.

31/ UNESCO document SHC/EUROCULT/4 (1972), p. 2.

32/ UNESCO document DG/73/10 (statement to the fifty-fifth session of the Economic and Social Council, 6 July 1973), pp. 7-8.

artistic pastimes reserved for an élite; it is both enacted and received, it constitutes the quality of existence and gives meaning both to everyday life and to the quest for the eternal."

105. The Special Rapporteur believes also that

"The aim of culture should be to free man's personality, to enable him to be creative, to enable his personality to develop to its full dimensions in order that he may take an active part in everyday life; he should not just be the object of the policy of a State." 33/

As the UNESCO study concludes,

"means have to be found to mobilize those cultural traditions the richness of which can provide people with a sense of belonging to coherent groups and which can contribute to the development of a sense of personal identity in the face of forces which often tend to alienate or estrange men from the organized centres of power". 34/

106. René Maheu states that:

"If cultural development is to take its rightful place in over-all development, specialists in cultural development, and those in charge of it, must be able - in establishing data, in analysing problems, and throughout the process of decision-making, planning and execution - to apply a methodology sufficiently rational to enable those controlling over-all development to incorporate this new information and these new approaches into their own procedures, even if the latter - still too strongly influenced by economic considerations - are subsequently altered by the give-and-take that any sort of integration necessarily entails." 35/

9. Housing

107. As is clear from parts two, three and four of the present report (E/CN.4/1108/Add.2, Add.3 and Add.4), housing conditions, although drastically different in the more developed countries and the less developed countries, still leave much to be desired in most countries, especially for the rural and the low-income urban groups. This is particularly true in the less developed countries, especially in regard to sanitation, including clean water, toilet facilities and sewerage.

108. The increasing population, particularly the increase in urban areas caused by

33/ Cultural Rights as Human Rights, p. 82.

34/ Ibid., p. 106.

35/ UNESCO document DG/73/10, p. 8.

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natural population growth and the exodus from the rural areas, has made the housing situation of the less developed countries much worse than it was 10 years ago.

109. Only a few of the less developed countries have stated housing policies and only a few have any programme integrated in the national development plan. Housing schemes are carried out on an ad hoc basis as and when funds can be made available. Housing has a low priority and is still regarded in the majority of countries as a social service. Only in countries where the exploitation of natural resources has increased the national income is housing receiving what might be described as a "fair share" in the allocation of national income to different sectors.

110. A 1970 ECAFE study 36/ said that as long ago as 1960 the housing shortage in Asia, exclusive of China and some small countries, had been placed at about 145 million units, of which 23 million were needed in urban areas. The shortage of housing was continuously mounting; for example, in India it was said to have increased by nearly 50 per cent during the 1960s, and in Pakistan by approximately 100 per cent.

111. The general situation is not much different in Africa or in Latin America. As was observed in part two of the present report, in the less developed countries fewer than two houses per thousand inhabitants are being built each year, whereas the desirable range is between 7 and 10. Even so, housing activity is usually concentrated in urban areas.

112. Experts in these countries, rather than trying to introduce exotic types of houses for which expensive or imported material is used, should study the construction methods and local materials used and try to improve them. Fuller advantage should be taken, particularly in rural areas, of the potential of spare-time and self-help methods of improvement, including technical assistance and supply of needed materials and tools. The Meeting of Experts on Social Policy and Planning was of the view that the same should apply to the improvement of sanitation, although here part-time work must clearly be linked with community action in providing clean water, sewerage, etc. 37/

113. In the world's poor countries, given the scarcity of government resources for the housing sector in relation to need, attempts to provide finished public housing for the urban and rural poor have almost without exception produced units too few in number to meet the demand and too expensive to be within the grasp of the poor. Pending vast improvement in the level of resources available for the housing sector, Governments may be best advised to act to identify those spheres of action in which individual families and communities cannot readily act alone and work in partnership with popular efforts for the development of housing in communities. For example,

36/ See "Social development in Asia", Economic Bulletin for Asia and the Far East, vol. XX, No. 3, December 1969 (United Nations publication, Sales No. E.69.II.F.12), p. 21.

37/ E/CN.5/445, para. 49.

while the poor can often construct their basic shelter, they are not equipped for medium and long-range planning of physical development and the establishment of basic physical and social services such as water supply, sewerage, health and education. The largest number of urban and rural poor in the less developed world can be assisted in important ways at an early date if Government concentrates its resources at the initial stage in improving the environmental framework within which the poor now live, and in planning and developing areas for further population growth in a manner that will allow these areas to be established and improved within a healthy environment. Economic and Social Council resolutions 1224 (XLII) and 1670 (LII) addressed themselves in some detail to these points.

10. The human environment

114. As it evolved in the context of the preparations for the United Nations Conference on the Human Environment, held in Stockholm in June 1972, and of the follow-up of the highly successful Conference, the phrase "human environment" came to be used inclusively, to encompass both the problems of "affluence" (e.g., industrial pollution) experienced most acutely in the advanced industrialized societies and the environmental problems of poverty - inadequate housing, hunger, disease - that are associated with a lack or a low level of development and are the major environmental problems confronting two thirds of mankind.

115. In both contexts, therefore, that of affluence and that of poverty, but particularly in the latter, improving the human environment can be viewed as a necessary condition for the realization of basic human rights in the interrelated economic, social and cultural fields.

116. Indeed, this relationship is recognized in the preamble to the Declaration of the United Nations Conference on the Human Environment, adopted unanimously at Stockholm and endorsed by the General Assembly at its twenty-seventh session, in which it is proclaimed: "Both aspects of man's environment, the natural and the man-made, are essential to his well-being and to the enjoyment of basic human rights - even the right to life itself".

117. Seen in this perspective, improvement of the human environment, whether by mitigating pollution or accelerating economic development, is a means for the attainment of certain human rights, defined, for example, as the right to be free from hunger or the right to a decent standard of living, many of which are already set forth in the International Covenant on Economic, Social and Cultural Rights.

118. There is, however, the further question of whether a "salubrious environment", that is, one conducive to human well-being, may not only be regarded in an instrumental sense but may constitute a normative goal in itself, defined as a basic human right.

119. Although the Stockholm Declaration is fundamentally directed towards improving the quality of life, it does not proclaim this improvement as such as a "human right" to which the individual is entitled.

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120. For example, principle 1 of the Stockholm Declaration, which is most applicable in this connexion, states that "man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being ..." */italics added/*. Here too the underscored phrase suggests an instrumental rather than an end-in-itself usage.

121. Therefore the question is left open for possible further consideration as to whether an "environment of quality" or an "environment conducive to human well-being" should be elevated formally to the status of a basic human right.

11. Participation

122. The basic principle governing the question of human rights in development should be the participation of the people in deciding their own style of individual and corporate life generally and decision-making, implementation, and gaining from development programmes in particular. People-based rural democratic institutional mechanisms for plan formulation should be universally established at the grass-roots level. They should become part of a government-recognized local government system, with corporate powers, finances, and specific responsibilities. This set-up should also be responsible for implementation of plans at the local level. Without an involvement of this type, there is little possibility of strengthening the underprivileged groups in the less developed countries or of diminishing the sense of alienation from society, particularly among young people, who constitute the bulk of the population of the less developed countries.

123. Governments should recognize young people as partners in nation-building by involving them in planning, decision-making and programme implementation and by enabling and encouraging them to participate in advisory bodies. Efforts should be made to establish a meaningful dialogue with youth on matters relating to society, especially those pertaining directly to youth.

12. Technological knowledge and technical skill

124. Increased employment and more equitable distribution of income are not in conflict with, but rather promote, rapid economic development.

125. Since the less developed countries have to import the capital goods and also a high proportion of the capital needed for economic development, a greater proportion of which has to be repaid, the income retained in the economy consists largely of the wages and salaries of the nationals - the wages and salaries paid to those directly employed in the particular projects as well as those paid to the producers of local raw materials and other intermediate goods utilized in the projects. Consequently, the higher the employment and the wages and salaries the less the return movement of capital to the more developed countries and the greater the increase in the national income in the less developed countries.

126. Unfortunately, this relationship has not been obvious in view of the difficulty

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in computing national income in the less developed countries, which has resulted in the utilization of GDP in place of NNP in the measurement of economic growth.

127. It is necessary to describe what is really meant by more equitable distribution of income. If it means just taxing the high-income group in the less developed countries more heavily and distributing the proceeds to the low-income group, then little can be achieved either in raising the income of the low-income group or in promoting economic development, since the proportion of the high-income group is very low.

128. More equitable distribution of income really means directing economic development to the low-income group through increasing employment and lessening underemployment, both in urban and in rural areas and both in industry and in agriculture. Economic development so directed will yield higher dividends in view of what has been stated above about the leakage of capital and income through their repatriation and through crippling interest and loan repayments, mostly to international financial institutions, and in view also of the tendency of the high-income group to spend their income on imported consumption goods while the low-income group spend theirs largely on local products, thereby creating linkages and further development.

129. This, however, necessitates the direction of economic development also to the development of technological knowledge and the expansion of technical skill. The right to increased technological knowledge and technical skill should be included among the fundamental economic and social rights. It is the best means of ensuring that man be considered "the subject rather than the object of development".

130. The lack of technological knowledge and technical skill has resulted in a high rate of unemployment and underemployment, and thereby low income, in the less developed countries. It is not enough to provide incentive or "animation". Such an incentive or "animation" proves ineffective if the people do not have the knowledge and skill required to exploit the incentive. Direct action in importing technological knowledge and skill is necessary. Technical skill and institutions are more important factors for economic development than mere availability of capital. Education in the form of the three Rs is not enough for the promotion of economic development. Indeed, it has resulted in increased unemployment.

131. The acquisition of technological knowledge and technical skill should be given at least as much emphasis as education itself. The two should be promoted simultaneously and, if possible, jointly. Indeed, non-acquisition of technological knowledge and technical skill would appear to be a more fundamental reason for possible social discontent whereas their acquisition enables the underprivileged to take part in the decision-making process and in solving technological problems.

13. Transfer of technology

132. The transfer of technology from developed to developing countries often applies to techniques elaborated for the needs, tastes, cultures and purchasing power of developed countries, which are very different from those of developing countries.

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133. The products are designed for different consumer habits, the manufacturing processes are capital-intensive and labour-saving, they use different raw material, particularly plastics and synthetic products. These technologies are therefore frequently inappropriate for the needs of developing countries.

134. The Advisory Committee on the Application of Science and Technology to Development (ACAST), in its report on the World Plan of Action for the Application of Science and Technology to Development, 38/ has pointed out the need for research and development of indigenous technologies more suited to the needs and requirements of developing countries. These "appropriate technologies" would aim at designing more adapted products, at using local raw materials, such as natural fibres, and utilizing labour-intensive and capital-saving techniques in the manufacturing processes.

135. For this purpose, it is necessary to build up the staff to perform research and development to adapt existing technologies, or create new ones when necessary. Scientific institutions and laboratories have to be created or strengthened, training and education programmes have to be designed with a view to elaborating these technologies. Existing technologies from developed countries should be evaluated and their technological, sociological and environmental impact should be assessed.

136. For example, solar pumps are now available and operational; if they had been used during the recent drought in Sahel last summer for pumping water out of the wells of the deserts, they would have saved thousands of lives. The automobiles and trucks for developing countries should meet specific requirements, such as suitability for use on rough roads, little maintenance and low cost, which differ from the specifications for automobiles designed mainly for highways.

137. It is therefore a very important goal to preserve the right of the potential scientific and technological community of developing countries to receive the necessary education and training and to be able to perform research and development activities aimed at fulfilling the specific needs of developing countries and elaborating more appropriate technologies.

138. The outflow of trained personnel from developing to developed countries is damaging the building up of this indigenous capacity of skilled personnel. The outflow of medical doctors, scientists and engineers is particularly detrimental in the field of health, science and technology.

14. Child and family welfare

139. Need for reform and for greater attention directed towards the welfare of the family and children is felt throughout the world. The reforms may be of a "preventive" or "prophylactic" nature, and should encompass the fields of housing,

38/ United Nations publication, Sales No. E.71.II.A.18.

nutrition and, more broadly, health and education. Income redistributive reforms protecting the level of living of families with children and, in particular, underprivileged families would also be helpful in this sense.

140. In planning for economic and social development, an overriding priority has to be placed on investment in nutrition, which, as well as education, is essential to the development of the potential capacity of children. Special emphasis should be placed on measures aimed at preventing inadequate nutrition of young children which may permanently impair the development of the brain and the body.

15. Consumer rights

141. People must know and assert their rights as consumers, if they are to get maximum benefit from the development process. The most important aspects of consumers' rights are: the right to safety, to ensure that no hazardous or deleterious product comes on the market; the right to be adequately informed about products and services and the conditions of sale; the right to choose among alternative goods of satisfactory quality at fair, competitive prices, or, as in the case of utilities, fair regulated prices; and the right to be heard in the decision-making process of government when consumer interests are affected.

16. Tax reform

142. Estate and inheritance taxes are universally accepted instruments for influencing the distribution of wealth without interfering with private ownership as such. To be effective they require, however, a relatively advanced and honest tax administration.

143. In a progressive system of taxation the burden of paying for social reforms should fall more heavily on people in the higher income bracket. This is the redistributive effect of tax reform. Its proper implementation is badly needed in many parts of the world, particularly in the less developed countries. Progressive taxes have been notoriously difficult to collect in the less developed countries and limited in application by the need to stimulate productive investment.

17. Use of armed forces

144. An innovation which, together with other appropriate measures, could help in bringing fast and radical change towards effective realization of economic, social and cultural rights, particularly in rural areas and among low-income groups, is making use of armed forces personnel and facilities for the construction of a new society based on equal enjoyment of these rights by all. Iran has been using them for such purposes with great benefit. Other countries could be requested to do so too.

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18. The role of value systems in development

145. On the role of traditional values in the development process and the need for changes in attitudes, the Meeting of Experts on Social Policy and Planning states:

"The necessary imposition of new industrial value systems has often led to unnecessary suffering and friction, and wider and deeper research is needed to identify values and attitudes which must or must not change, as well as measures to facilitate attitude changes. The role of the social planner should be to make clear to those making the allocation decisions what the necessary changes are, what the consequences and problems involved in changing attitudes are likely to be and the relative costs to the society of imposition of unwanted values compared with the benefits of increased production. More knowledge is needed on these matters. Since development by necessity involves a good measure of radical change in attitudes, it would be of importance to obtain knowledge and guidance as to whether such radical changes are more easily made than a succession of small changes." 39/

146. Increased attention must be given, particularly in the less developed countries, to dealing with the divergencies between societal value systems and the requirements of development and hence of guaranteeing economic, social and cultural rights to all.

19. The role of law in development

147. Although material means and technical know-how are essential for raising the living standards of a nation and for creating conditions of economic democracy, a framework of law is the basic precondition for balanced economic and social progress.

148. There are those who believe that law should essentially follow, not lead, and that it should do so slowly, in response to clearly formulated social sentiment. The requirements of effective realization of economic, social and cultural rights by all dictate, however, that law be looked upon as a determining factor in the creation of new norms and standards and as an instrument of, or catalyst in, social change and development. Therefore law should be "made" rather than "found" - that is, law in its dynamic sense, which is diametrically opposed to a purely formalistic approach. There is no need to wait for custom, as in part articulated by lawyers, to evolve fully before adopting new legal provisions to take effective action against socio-economic structures and systems which hamper effective realization of economic, social and cultural rights and perpetuate discord in society.

149. Governments have the obligation to combat relentlessly any form of exploitation of man by man whether it be in the form of feudalism, colonialism, neo-colonialism or protection of the interests of a few as opposed to the interests of all. What is good for a service is not necessarily good for all the people. If a Government were

39/ E/CN.5/445, para. 16.

to make necessary action for fulfilment of its obligation to protect the health of individual members of society contingent on satisfying the views of most members of the medical profession, it is probable that the medical profession would thrive under laissez-faire rule.

150. Law could play a leading role, both on the national and on the international level, in the creation of the necessary economic and social bases for the effective application of economic, social and cultural rights in all countries - that is, law in its dynamic and progressive sense, meaning a set of rules and regulations which is not only the expression of the majority's will but that of their long-term interests and which would guarantee the objective conditions of all-round economic, social and cultural development aimed at constant improvement of living conditions for all. Such law can be "made" and thrive to the extent that it is in the common interest of all and provided that all recognize that it is in their common interest.

151. As has already been stated in part one of the present report (E/CN.4/1108/Add.1), the part dealing with national norms and standards governing the realization of economic, social and cultural rights is incomplete because it is limited to constitutional aspects. To be complete, it should have extended to the legislation in force in the various countries. That would have vastly exceeded the scope and space allotted to this report. Such a comprehensive study, however, should be undertaken in the future.

20. The role of statistics in development

152. There is a great need for improvement of statistics in the less developed countries. There are many gaps, particularly in social statistics. More resources must be allocated to the collection of social data in all less developed countries. Although direct responsibility in this regard rests with each Government, the Special Rapporteur is of the view that Governments should be assisted with additional funds and resources for this purpose. Thus a concerted effort for development of statistics is needed, comprising the following:

At the national level, the importance of social statistics needs to be recognized and the appropriate machinery for the collection and compilation of the data needs to be developed. An essential element of this machinery would be an organization for conducting household sample surveys, which constitute the most convenient means of collecting social and socio-economic statistics.

At the regional level, arrangements need to be made for the formulation of guidelines applicable to the developing countries of the region, provision of regional advisory services and organization of working groups, seminars, workshops and subregional training courses in social statistics.

At the international level, further work needs to be done towards the development of appropriate methodology and preparation of technical manuals. Funds should be made available by the United Nations Development Programme, the United Nations Fund for Population Activities, the United Nations Children's Fund and the International Bank for Reconstruction and Development in an increasing measure for the development of demographic and social statistics.

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The United Nations and the specialized agencies concerned (namely, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific, and Cultural Organization and the World Health Organization) should co-operate and co-ordinate their activities in the development of social statistics at the international level as well as at the regional level.

The need for improvement of statistics should, however, not be pleaded as an obstacle to formulating national and international strategy for socio-economic development.

21. The role of trade in development

153. The less developed countries' share of world trade has fallen from a third to a sixth in the last 20 years. The prices they obtain for their goods fluctuate widely. These countries find themselves competing on world markets with countries that could easily afford to stay out of certain areas of world trade, such as food production, instead of competing with those who need to trade in them most.

154. The rich countries have been showing an increasing tendency in recent years to trade with each other. As The Guardian states:

"In 1960 the developing countries' share of world trade was 23 per cent. In 1970 it was 18 per cent and it is probably still falling. At the same time it has become less profitable, mainly because the prices of the manufactures that the developing countries need have risen faster (because of the rich world's inflation) than the prices of commodities that the developing countries sell. Finally there has been a tendency for the rich countries, first in North America and now in Europe too, to protect their domestic agricultural industries." 40/

155. Increasingly the less developed countries are having to work harder to produce more for export markets merely to be able to keep themselves from getting poorer. It now costs a country like Ghana five tons of cocoa exports to pay for the import of a single tractor - five times more than in 1960. 41/

156. One feasible course for the less developed countries could be, wherever possible, to expand trade among themselves, to initiate real economic co-operation and to undertake economic policies to offset adverse effects of regional economic groupings of rich countries. But before doing so, the less developed countries should first put their own house in order by implementing long overdue radical economic and social reforms.

40/ In an article entitled "Forever poor", in the weekly edition of 8 April 1972.

41/ See the article on "The politics of poverty" in The Observer, London, 9 April 1972.

157. The duty of the more developed countries to the less developed countries both to reform their trading policies and to grant aid in a more favourable and egalitarian way, as well as to contribute to the promotion of economic, social and cultural rights in these countries, should be emphasized in clear and precise terms. The motivation which can be presented to the peoples of the more developed countries in favour of such policies are that they are required by justice, compassion and human solidarity.

158. To assist the less developed countries in their efforts to realize economic, social and cultural rights, there is need for a world trade policy that aims at lowering national barriers and narrowing the present wide gap in levels of income between nations. This will involve, first, an accelerated reduction of duties by industrial countries in favour of the manufactured goods exported by the less developed countries and, secondly, the establishment of an internationally guaranteed price-support system for primary products supplied by the less developed countries. It is of much greater help to these countries to guarantee them a fair price for what they sell than to give them aid as a partial compensation for their loss of purchasing power.

22. The role of disarmament in development

159. The recent report of the Secretary-General on the economic and social consequences of the arms race and of military expenditures, ^{42/} which was prepared at the request of the General Assembly in its resolution 2667 (XXV) of 7 December 1970, with the assistance of a Group of Consultant Experts appointed by the Secretary-General, draws, inter alia, the following conclusions:

"The cost of the arms race is enormous, and because of it, resources have been denied almost every other field of social activity. In total it consumed nearly \$1,900 billion from 1961 to 1970. If annual military expenditures continue to absorb their present percentage of world GNP, they could well reach the level of \$300-350 billion (at 1970 prices) by the end of the decade, with a total outlay for the decade of some \$750 billion more than was spent from 1961 to 1970.

"The military expenditures which cast the greatest shadow over the world are those of the major Powers, which between them account for the bulk of all such spending. Arms races between the developing countries are, however, no less dangerous." ^{43/}

160. The arms race buries under mountains of weapons of mass destruction a substantial part of resources which could best be used for the realization of man's economic and social rights. It is astonishing to note that our world is spending

^{42/} United Nations publication, Sales No. E.72.IX.16.

^{43/} Ibid., paras. 114 and 115. In this quotation, a billion means 1,000 million.

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at the present time over \$200,000 million annually on military account. This is estimated to be a sum at least equal to two thirds of, and according to some estimates of the same order of magnitude as, the entire annual national income of all less developed countries. At present over 60 per cent of all scientists are either directly or indirectly engaged in activities directed towards war. These figures show the enormous importance which disarmament would have for the attainment of accelerated economic and social progress for the benefit of mankind throughout the world. The arms race increases tension and mistrust between nations. Tension and mistrust between nations promote the arms race. A vicious circle is thus created. Nevertheless, disarmament is not only imperative, it is possible. Therefore, the conclusion of a general agreement on disarmament, in connexion with international measures to be taken for the full realization of economic, social and cultural rights, should be sought as speedily as possible.

161. The Special Rapporteur shares with the Secretary-General both the conviction and the hope that, amongst other economic and social advantages, increased aid to the less developed countries would be a natural consequence of substantially reduced military expenditures. As the Group of Experts observes: "The arms race must be stopped not only because of the immediate perils it holds for us all, but because the longer it continues, the more intractable the problems of economic growth, social justice and the environment will become." 44/

162. The Special Rapporteur also shares the unanimous conclusion of the Group of Consultant Experts that:

"A halt in the arms race and a significant reduction in military expenditures would help the social and economic development of all countries and would increase the possibilities of providing additional aid to developing countries." 45/

23. Obligation of States for development

163. The complex society of today calls upon States to harmonize the interests of individuals with those of the community as a whole, and thus limit their full freedom of action in a manner which exceeds by far, in scope and intensity, that of any other period in history. The State has thus felt obliged to take over many obligations formerly confined to the individual and the family. These include State responsibility for food, housing, clothing, education and health protection. They are in part guaranteed by securing for all the rights to employment, to fair wages, to family allowances, pensions and unemployment compensation. The prevailing view today is that only through State action and planning can effective enjoyment of economic, social and cultural rights be realized by all. The modern concept of the functions of the State is expressed in international instruments, in particular in

44/ Ibid., para. 119.

45/ Ibid., para. 120.

the Charter of the United Nations, by which Members have pledged themselves to take joint and separate action to promote higher standards of living, full employment, conditions of economic and social progress and development and universal respect for and observance of human rights and fundamental freedoms.

164. Half a century ago, the notion of social justice was foreign to the governmental system of even the most advanced nations. Since that time the world has moved a long way. Today, as the Shahanshah of Iran writes in his book on the Iranian revolution, it is held that "political democracy is a sham unless accompanied by economic democracy; that justice cannot be rendered under conditions of social injustice".

24. International obligation for development

165. The obligations of States in this regard are clearly defined in Articles 55 and 56 of the Charter of the United Nations. Article 55 states that the United Nations shall promote "higher standards of living, full employment and conditions of economic and social progress and development". Article 56 states: "All Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55".

166. Arnold Toynbee has stated:

"Never before have we been so promptly and fully informed as we are today of the wrongs that human beings, all round the globe, are inflicting and suffering. Yet never before have we been so sluggish in our reaction ...

"This blunting of our sensitivity has led us to ignore the infliction of grievous wrongs that have been perpetrated, in some cases for generations and even for centuries. Too many of those of us who have had the duty to act have ignored ..."

He goes on to conclude that even the meekest population will turn and bite if they are provoked and badly treated "without redress for a long time". 46/

167. Similar views were expressed by Robert McNamara on 25 September 1972 before the annual meeting of the World Bank's Governors and members of the International Monetary Fund. He said:

"Absolute human degradation - when it reaches the proportion of 30 to 40 per cent of an entire citizenry - cannot be ignored, cannot be suppressed, and cannot be tolerated for too long a time by any government hoping to preserve civil order ... It would be naive not to recognize that time in many quarters of the world is running out ..."

46/ In an article entitled "The only way to stop terrorism" appearing in Keyhan International, Teheran daily, 3 October 1972.

168. Before the Second World War hardly anyone saw a common responsibility on the part of the more developed nations to aid the less developed. Now such a responsibility is more and more being recognized as a general proposition. We have probably reached the time for public international law to address itself, in the interest of world peace, human solidarity and international co-operation among nations, to the world-wide problem of mass poverty and human degradation and to the obligation of the international community in that respect. The United Nations International Law Commission should have already deliberated on this matter in its work on the progressive development of international law. The Commission on Human Rights may now recommend that the question be placed on the agenda of the International Law Commission with the priority that it deserves.

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III. RECOMMENDATIONS

169. The Special Rapporteur wishes to submit the following recommendations to the Commission on Human Rights:

(1) All Governments should devise more effective action with respect to elimination of sexism, racism and caste as well as any other kind of discrimination in the enjoyment of economic, social and cultural rights.

(2) Narrowing the economic, social and cultural gap requires that a primary goal of all Governments should be a more equitable distribution of wealth, income, opportunity and social services. A more equitable distribution of wealth, opportunity and social services would ultimately lead to a better distribution of income.

(3) Reduction of inequalities in the rural sector and between the rural and urban sectors needs urgent attention. With that consideration in mind, the Commission should strongly recommend immediate institution of land reform in all the less developed countries where this has not yet taken place.

(4) Ensuring an adequate income to each household should constitute the primary goal of all Governments. This calls for a review of the existing social and economic policies of Governments with a view to reorienting them towards the eradication of poverty. As a matter of policy, the main objective of all development planning should be the full productive utilization of manpower so that by one stroke countries may achieve high GNP growth rates and better living standards for all. China is an excellent example of this policy and a lot can be learnt from its experience and priorities in rural infrastructural development and rural dispersal of small industries.

Full employment, therefore, should constitute the primary goal of all countries. Its implementation should not involve treating it merely on a par with price stability, growth, trade balance and other goals. Full employment is not an easy goal to implement even for developed market economies, but making it the primary goal to each country's macro-economic policy would contribute to making the "right to a job" and adequate income a reality.

It should be the Government's responsibility, particularly in the developed market economies, considering their present stage of development, to supply requisite opportunities for vocational training during transition between jobs or retraining for new types of employment at rates of pay at least equal to industrial wages, and it should be equally the Government's responsibility to provide child-care facilities adequate to permit women to pursue careers. It will almost certainly be necessary to adjust hours of work to permit women to pursue careers while discharging responsibilities for the care and upbringing of children. In any case, Governments should consider the need for explicit job quotas to overcome the legacies of discrimination.

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(5) Essentials, starting with education and health care, and working towards food, housing and clothing, should be removed from market relations of production and distribution (as in health care under the British National Health Scheme). Thus health care should be provided by Governments, along with education, free of charge to all citizens and residents. The right to freedom from starvation should be recognized and effectively implemented by all Governments acting individually as well as in concert with others.

Decent housing within a household's ability to pay should be recognized as a fundamental right. Governments should take the responsibility, on the one hand, of providing decent housing, whether new or existing, at minimum prices of construction and financing, using innovative techniques and/or price controls. On the other hand, they should do as much as they can to bridge the gap between the ability of poorer households to pay for decent housing and the price of such housing, using housing subsidies and/or supplements according to need.

(6) The urban crisis presents a challenge to all Governments, since it is in urban areas that social inequities are concentrated and the greatest environmental conflicts exist. Central to these inequities are prevailing patterns of land ownership, which are not responsive to social and economic conditions, hinder social mobility, prevent the satisfaction of social needs and work against the redistribution of national wealth. Prevailing legal systems regulating land ownership, particularly those binding together land ownership and land use, are not adaptable to the dynamics of urbanization. They have a pernicious influence on the environment of human settlements, since they respond only to the narrow motives of individual owners and disregard the needs of society as a whole and of the environment.

The right of using land should be made available to all citizens. Nations should treat urban land as a natural resource ^{47/} to be developed and conserved in accordance with the values and priorities of the society. Individual rights of ownership and use of urban land should be limited. To society as a whole should belong the right to determine the use of land and to enjoy the benefits that accrue from the collective action of society, such as changes in the nature and intensity of land use. ^{48/}

(7) The educational system in the less developed countries should be geared to the requirements of speeding up economic and social development and the realization of economic, social and cultural rights. As the UNESCO International Commission on the Development of Education concluded in its report:

^{47/} Unless they find other effective means of ensuring to each citizen the right to use of land.

^{48/} Adapted from the recommendations of the Expert Group Meeting on Urban Land Policies and Land-Use Control Measures (30 November-4 December 1970), E/C.6/118.

"Whatever power education has, or has not, to alleviate in its own domain inequalities among individuals and groups, a resolute social policy to correct unfair distribution of educational resources and effort is the obvious pre-condition for any progress in this respect." 49/

Equalization of educational opportunities is particularly important as an instrument towards reducing inequalities. Educational policy should have as an objective the equalization of educational opportunities and should reflect societal values in harmony with a more equal income distribution.

The right to increased technological knowledge and technical skill should be recognized as a fundamental economic and social right of individuals. It is the best means of ensuring that man shall be considered the subject rather than the object of development.

(8) The basic thrust of social security systems should be changed from horizontal to vertical redistribution. The means of doing so is to increase the importance of universal, flat-rate benefits and to de-emphasize earnings-related benefits, at least for old age, illness, and disability. At the same time, the basic level of benefits would have to be high enough to permit a decent standard of living. The cost of social security systems should be shifted away from regressive taxes, like payroll taxes, to progressive forms of taxation, like the personal income tax. Unemployment insurance should be extended to all in the labour force, including new entrants. Coverage should extend for an indefinite period of time, and it should be the Government's responsibility, as an "employer of last resort", to provide suitable jobs (suitability is defined in terms of the workers' qualifications and geographical residence).

Rural social security is one way of achieving equality of income in rural areas. The ILO has been considering this question. So far social security measures have been restricted to the formation of urban organizations of the trade union type. This question should be examined more seriously and something positive should be done in the field.

Today all developed market economies as well as socialist countries of Europe have reached a stage of development at which they can easily implement this recommendation wherever they fall short of it in practice. Other Governments should direct their plans and policies in this direction.

(9) Since population is a key factor in the process of development and as the realization of economic, social and cultural rights is intimately related to population growth, structure and distribution, Governments, the United Nations, the specialized agencies and non-governmental organizations should give high priority to the adoption of policies appropriate to the solution of problems associated with fertility, morbidity and mortality, population structure, internal distribution and

49/ Learning To Be: The World of Education Today and Tomorrow (Paris, UNESCO, and London, Harrap, 1972) p. 73.

international migration. The following recommendations are concerned principally with population policy measures significant for the achievement of individual rights.

With regard to fertility, it should be urged that all Governments respect the right of couples to determine in a free and responsible manner the number and spacing of their children; ensure that parents achieve their desired number of children by provision of programmes that aim at both the prevention of unwanted births and the elimination of sterility and subfecundity; make available information necessary for the practice of effective family planning; ensure that this information is based on valid and scientifically proven knowledge and includes appropriate information concerning associated risks; provide education in human reproduction and family welfare; secure the protection of the status of women in marriage and of children born both in and out of marriage; inform parents of the consequences of their fertility behaviour for society as well as for their family; and seek to bring about a choice of family size that adequately reflects the necessary compromise between individual rights and obligations by means of persuasion in conditions of mutual confidence rather than by means of abrupt administrative measures.

With regard to morbidity and mortality, it should be urged that Governments adopt as policies having the highest priority the provision of necessary health, nutrition and sanitation services, making full use of local resources for this purpose, in such a way as to totally remove differences between regions and classes of the population with respect to health, nutrition and sanitation, and specifically to prevent the continued concentration of personnel and services in major urban areas to the detriment of rural populations.

With regard to internal location and migration, it should be urged that all Governments develop those policies relating to the distribution of population, employment and social services which will permit the greatest proportion of individuals and families to reside and work in the location of their choice. Where, for overriding social and economic reasons, other locations are considered by Governments to be necessary, Governments should seek to explain fully the necessity for such movements to the individuals concerned, avoid abrupt and arbitrary administrative measures and fully support and assist populations to make the relocation, reducing to the minimum the inconveniences caused thereby.

With regard to international migration, Governments should be urged to reduce both immigration and emigration of individuals where this is an involuntary or less preferred response to variations in levels of living between countries. In particular, Governments of countries with relatively high standards of living should be urged to undertake measures to reduce the immigration of individuals whose training and experience are vitally needed in the countries of their origin. Governments of countries from which workers emigrate because of deficient employment in their region of origin should adopt policies that will permit, through the use of appropriate technologies, the productive application of surplus labour to unused resources and the construction of the infrastructural basis of future development.

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(10) Living "clean" is no less important a social right than living long. Hence the degree to which the physical environment of the community remains ecologically balanced directly affects the realization of a vital social right, that is, the right to health. There are hard facts and figures as regards the extent of air, water and soil pollution in various parts of the world. The protection and improvement of the human environment, which affects the well-being of all peoples and economic development, particularly in the less developed countries, should constitute the major concern and primary responsibility of all Governments. It is the essential duty of each Government to identify development projects that have serious adverse environmental and health hazards and to do everything in its power to eliminate or minimize such hazards.

(11) The Commission should recommend to all countries the development of effective rehabilitation programmes for the physically and mentally handicapped, where such programmes do not exist.

(12) The effective enjoyment of economic, social and cultural rights also includes the right to prompt and adequate relief in the wake of natural disaster. The recent drought in the Sahel is a dramatic example of this.

(13) In most cases the needs and problems of neighbouring countries tend to be similar and hence the possibility of reaching regional agreements on issues, goals, and targets, including effective realization of economic, social and cultural rights, is greater. Therefore, the Commission on Human Rights, while keeping its long-standing universal approach, could consider encouraging the conclusion of regional agreements on economic, social and cultural rights.

(14) The Commission could recommend also that more intensive work be done at the national, regional and international level on the formulation of standards, norms and indicators - both as instruments of developmental planning and as ways of measuring the realization of economic, social and cultural rights.

(15) The resources of the sea-bed and ocean floor and the subsoil thereof beyond the limits of national jurisdiction, being the common heritage of all mankind, should be used exclusively for peaceful purposes, taking into account the pressing need for the realization of economic, social and cultural rights in the less developed countries.

(16) Foreign workers should in all countries be guaranteed absolute equality with nationals in all matters concerning the enjoyment of economic, social and cultural rights.

(17) Notwithstanding the possibility that the International Covenants on Human Rights will come into force within the next year or so and that the effect of the coming into force of the International Covenant on Economic, Social and Cultural Rights will be to gear much of the work of the Economic and Social Council towards the guidelines and goals set by that Covenant, since States parties as well as various organs of the United Nations and the specialized agencies will be reporting to the Council, there is an urgent need for the United Nations to devote special

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attention to the question of the realization of economic, social and cultural rights throughout the world, if only because the Covenants are unlikely to be accepted by all States Members of the United Nations in the near future. There are at present various organs and departments of the United Nations and of the specialized agencies dealing with parts of the general question. An over-all approach is necessary if economic and social development is to be carried out in a manner that will promote effectively the well-being, freedom and dignity of all human beings without discrimination and the enjoyment of all the civil, political, economic, social and cultural rights recognized by the Universal Declaration of Human Rights and the two International Covenants on Human Rights. The Secretary-General should be requested to explore ways and means of ensuring that proper attention is paid to these considerations and objectives by all interested units and agencies of the United Nations system. Appropriate contacts and co-operation should be established between them, particularly through meetings, exchange of information and consultations, with a view to promoting in a constructive way the desirable awareness of human rights considerations in economic and social development projects.

(18) The Commission on Human Rights should arrange for the preparation of a comprehensive study on the realization of economic, social and cultural rights throughout the world for submission to it every five years.

The Commission on Human Rights, by removing questions of secondary and tertiary importance from its agenda, should devote at least 10 days of each of its sessions to the examination of matters relating to the realization of economic, social and cultural rights. It should agree to devote at least three weeks of its session every five years to the consideration of the report that would be presented in accordance with the preceding paragraph.

Under the present reporting procedure (Economic and Social Council resolution 1596 (L) of 21 May 1971), Member States are asked to submit periodic reports on economic, social and cultural rights every six years. In view of the urgent need for continuous examination of progress made in this regard in different parts of the world, the Commission should recommend to the Economic and Social Council the adoption of a draft resolution making every four years the interval within which States would be asked to submit reports on economic, social and cultural rights. Reports to be submitted in this regard should take the form of replies to questionnaires which would be formulated for this purpose.

The Commission should also, through the Economic and Social Council, invite the specialized agencies concerned with the realization of economic, social and cultural rights, as well as the regional economic commissions, to provide the Commission on Human Rights with reports on the situation with regard to the realization of those rights falling within their respective jurisdiction and competence every five years.

(19) The Commission should once again appeal to all States to ratify or accede to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination.

(20) The Commission should decide to keep the item on the realization of economic, social and cultural rights on the agenda of each of its future sessions and treat it at each session as an item of the highest priority.
