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

POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS

Report by the Secretary-General

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INTRODUCTION

1. In its resolution 1985/44 of 14 March 1985, entitled "Popular participation in its various forms as an important factor in development and in the full realization of all human rights", the Commission on Human Rights requested the Secretary-General to circulate the final study by the Secretary-General on popular participation in its various forms as an important factor in development and in the full realization of all human rights to the Governments of all States Members of the United Nations, United Nations organs and specialized agencies as well as non-governmental organizations for comments.
2. Accordingly, in a note verbale of 31 May 1985, the Secretary-General invited all Member States, United Nations organs, specialized agencies and non-governmental organizations to comment on the above-mentioned study (E/CN.4/1985/10 and Add.1-2) if possible by 4 November 1985. A copy of resolution 1985/44 was also transmitted with each note verbale.
3. In conformity with Commission resolution 1985/44, the present report of the Secretary-General on popular participation in its various forms as an important factor in development and in the full realization of all human rights (E/CN.4/1986/....) is submitted to the Commission on Human Rights at its forty-second session.

I. REPLIES RECEIVED FROM GOVERNMENTS

CHAD

[Original: French]

[27 July 1985]

Popular participation as an important factor in development is enshrined in the Fundamental Act of the Republic of Chad, article 18 of which provides for: "the establishment of democratic life to guarantee the fundamental freedoms and rights of the individual, associations and the community, as well as full participation by all social sectors in the conduct of public affairs".

Chad would like the United Nations to ensure that the Universal Declaration of Human Rights relating to the full enjoyment in all countries of economic, political and cultural rights is respected and fully implemented.

PERU

[Original: Spanish]

[26 September 1985]

Peru considers that popular participation is an important factor in development and in the full realization of human rights and that, accordingly, there is a need for a democratic régime which guarantees the inalienable rights and freedoms of citizens, as well as their full participation in the political, economic, cultural and social life of the country.

According to the provisions of the Constitution of the State, any citizen who meets the requirements provided for therein may seek Government office for the leadership of the country by participating in the political life of the country at any level (executive, legislative, municipal, communal, etc.) through direct election by the people.

Article 112 of the Constitution also provides that: "The State shall guarantee economic pluralism. The national economy shall be based on the democratic coexistence of various types of property and enterprises. State, private, co-operative, self-managed, communal and any other types of enterprises shall enjoy legal personality as provided for by law according to their characteristics".

With regard to culture, attention is drawn to article 30 of the Constitution, which provides that: "The State shall recognize, provide assistance for and monitor non-profit private, co-operative, communal and municipal education. No educational establishment may offer instruction that is of inferior quality to that at the corresponding level, in accordance with the law. Any natural or legal person shall be entitled to establish, for non-profit purposes, educational establishments in accordance with the principles of the Constitution".

In addition to the provisions of the Constitution, there is a national system of popular co-operation whose aim is to guarantee the exercise, continuation and updating of the ancestral practice of voluntary labour for the common good, as a means of enabling peoples and communities, through disinterested initiatives and activities, to achieve well-being as part of dynamic community efforts which make them fully a part of the economic and social life of the country, thereby reaffirming the national identity.

This system is being implemented primarily in marginal rural and urban areas in Peru.

It promotes the design and implementation of community projects with labour and other resources donated by urban and rural communities in the country. It also encourages initiative and creativity through training programmes for the design and transfer of technology, thus promoting development and integration in the economic and social life of the country. It promotes and strengthens participation by peoples, communities and other social groups in the implementation of development projects, thereby enabling them to use appropriate and intermediate technologies according to regional needs and interests.

Activities designed to raise the population's standard of living are thus being promoted and implemented.

The National Office for Popular Co-operation is in charge of planning, managing, co-ordinating, regulating, executing, evaluating and monitoring the activities carried out as part of this system. There are also a central office and regional offices which are responsible for implementing projects, primarily in co-operation with district councils and communities.

This system is authentically Peruvian and, accordingly, account has been taken of the Peruvian's people's ancestral organization, which has merely been brought up to date and adapted to new technologies in order to achieve better results. The activities forming part of this system are primarily intended for the construction of schools, medical dispensaries, community centres and roads.

THE PHILIPPINES

[Original: English]

[23 July 1985]

Comments on the study by the Secretary-General (Ref.No.E/CN.4/1985/10):

1. The Philippine policy on popular participation calls for raising rural incomes and achieving self-sufficiency in food production, complemented with economic development, land reform programme, and infrastructure support, e.g., feeder roads and irrigation systems in the rural areas;

In the industrial sector, the policy thrust is towards the promotion of employment opportunities through the encouragement of labour-intensive methods of production, the expansion of manufactured exports, the strengthening of industrial linkages, and intensified efforts at regional development;

The Philippine Government stresses that agricultural development should be in harmony with industrial development in order to expand agricultural production, attain self-reliance in basic staples and raise farm incomes;

2. The Philippines believes that man should be the ultimate focus of development. In this regard, the role of any Government is to provide proper setting for man's social and economic development;
3. The Philippines also underscores the important role of the political process of democratic governance, wherein the individual's welfare is reflected in the decision- and policy-making processes;

4. The Philippines believes that the ongoing national Land Reform Programme, promulgated under Presidential Decree No.2, which, inter alia, provides for the proclamation of the entire country as a land reform area, supports the general objective of a more egalitarian and diversified property ownership system in the Philippines. It is felt that under this programme, the larger masses of peasants and farmers are endowed with the appropriate incentives and opportunities for participating actively in the national policy;
5. The National Housing Authority (NHA) under the Ministry of Human Settlements, undertakes the implementation of low-cost housing programmes, such as the BLISS, Flexi-homes, among others, which have been designed to promote a more equitable income distribution as well as social development in the country;
6. As regards the national health programme, the Philippine Government has engaged in the dissemination of appropriate health education, upgrading of health personnel capability and the extension of health support services to the rural areas, including the maintenance of a system of rural health centres, among others;
7. It is also the policy of the Philippine Government to promote national welfare via the undertaking of appropriate community development programmes in the countryside. For instance, the KKK or the Kilusang Kabuhayan at Kaunlaran was established as a national movement designed to spur economic and social development of the Philippines by transforming the country's 42,000 barangays into self-reliant productive units via the creation of various livelihood projects or enterprises to be owned and managed by the community residents themselves;
8. With respect to the cultural minorities, it is the policy of the Government to ensure the integration of the national cultural communities into the mainstream of Filipino society with due regard for their beliefs, customs, traditions and institutions. The Ministry of Muslim Affairs and Cultural Communities was established by the Government for this purpose.

YUGOSLAVIA

[Original: English]

[4 November 1985]

Yugoslavia, as a country where self-management represents a special, distinctive and autochthonous form of social and political organization based on social ownership of the means of production and on the management over them and over the process of social reproduction as a whole, is particularly interested in the question of popular participation in its various forms as an important factor in development and in the full realization of human rights. As previously reported in more detail, socialist self-management implies in Yugoslav practice and theory full and real participation of the citizens, workers, farmers, and all the working people in the management of all industrial and other structures of labour, in the regulation of conditions of living and working by managing the means of production and fruits of their labour. Self-management is effective in every sector of production, distribution, consumption, service industries, in the field of capital expenditure and in

public, social and political life. The citizens and working people therefore actively participate in the management of social business in all socio-territorial communities, from local communities and communes to republics and autonomous provinces, up to the federal level.

On this basis, a network of forms and institutions of self-management has been founded and has been successfully operating for years. It incorporates every individual in the management of associated labour, social communities and the country as a whole. This network does not run parallel with, or counter to, the organization and organs of political and State power. On the contrary, they together represent a permanent endeavour to include every individual in the policy of self-management decision-making as well as in an active participation in the power socialization process.

The Secretary-General's study on popular participation in its various forms as an important factor in development and in the full realization of all human rights contains an extremely useful review of various forms of popular participation and their relevance for the realization of human rights. As such, it constitutes the most comprehensive undertaking thus far in the consideration of this very important question. In the opinion of the Yugoslav Government, the study adequately encompasses all elements of popular participation in its various forms, and by its methodological approach constitutes a good basis for analysing popular participation in the realization of human rights. In the study popular participation is interpreted globally, i.e. as an element of the realization of political and civil rights including their economic, social and cultural aspects. It is of importance that the question of popular participation is also considered as a subject of separate legislation, i.e. popular participation as a separate right.

The study adequately deals with all the major complexes of problems: popular participation as a factor in development, the relationship between participation and promotion of human rights and the question of participation as a separate right. Chapter III of the study is of particular relevance because it deals with the relationship between popular participation and the promotion of human rights. The study rightly points out that the indivisibility of all human rights should be taken into account, as has been underlined by the General Assembly on so many occasions. Furthermore, it is emphasized that the relationship between popular participation and human rights is most frequently reciprocal: respect for human rights is an indispensable pre-condition for genuine participation, while, on the other hand, the process of popular participation increases the awareness of fundamental human rights and contributes to their realization.

The study rightly underscores the importance of the relationship between popular participation and the right of peoples to self-determination. The Yugoslav Government considers that the process of self-determination is a continuous one and that political self-determination should be followed by the process of the comprehensive realization of all human rights, so that self-determination could be meaningful. In this process, popular participation is one of the major factors.

Part B of the study is in large part devoted to the relationship between popular participation and some civil and political rights. Freedom of expression and information as one of the bases of participation is rightly put in the first place. The motivation for participation in the conduct of public affairs can be enhanced only by providing the necessary information which makes

the decision-making process real. On the other hand, the purpose of information, as well as freedom of expression and giving information, is that they enable genuine popular participation in the decision-making process. Therefore, these political aspects of popular participation clearly show that there is an interrelationship between popular participation and human rights.

Popular participation is closely linked to freedom of peaceful assembly and association, and the right to take part in the conduct of public affairs. The realization of these rights is differently guaranteed in various countries. The legislative and other legal solutions and practices could serve as the basis for assessing to what extent the realization of these fundamental political and civil rights has really become the heritage of democracy in popular participation. It appears that there exist some general problems in this field, as emphasized in the study (para.93). All political systems have a problem of genuine communication between Governments and their people. This raises the question of the means which can ensure that this communication serves popular participation in real decision-making.

Numerous studies carried out within the United Nations, and the study in question, all point to the relationship between popular participation and economic, social and cultural rights. This relationship is reciprocal. People who do not enjoy fundamental economic, social and cultural rights, such as the right to work, education, participation in cultural life, etc., cannot really participate in the decision-making process. On the other hand, the participation processes make possible further realization of the above-mentioned and other economic, social and cultural rights. In the view of the Yugoslav Government, the study has adequately elaborated these relationships.

The Yugoslav Government considers that, among the questions addressed, the right to participation as a separate right is of particular importance (chap.IV). It seems that the replies of Governments, which served as the basis for the study, reflect a growing trend towards recognition of participation as a right in one or more fields of social relations (para.58). A very interesting conclusion contained in paragraph 159 of the study (p.34) is that "a more detailed study of laws and practices by countries and by spheres of activity should be undertaken, in order to obtain a more complete picture of the extent to which the right to participation has been established and has evolved at the national level".

This recommendation constitutes a significant basis for further analysis of the question of popular participation within the United Nations, and particularly in its efforts aimed at full realization of all human rights. Since the awareness of the importance of popular participation for the full realization of human rights is generally recognized and in view of the fact that the study noted the growing trend towards recognition of participation as a right, this recommendation is logical and justified. The Yugoslav Government, therefore, considers that it would be necessary to make a plan for further research, or broader analysis of relevant national laws and practices from the viewpoint of participation as a right. The Yugoslav Government proposes that the Secretary-General, within the framework of his continued efforts towards analysing popular participation as a factor in the realization of human rights, work out a separate analytical study along the lines suggested in paragraph 159 of the final study.

The next study by the Secretary-General, which would be analytical and directed towards studying laws and practices in various countries, could focus on two main aspects of research:

I. Analysis of normative and legal regulations of certain elements of popular participation in the practice of States

1. Constitutional norms constituting the basis of popular participation in various countries;
2. Legal acts which affirm the fundamental constitutional basis;
3. Analysis of the forms of popular participation based on the legislative solutions in certain fields:

Political relations (popular participation);

Information of the population and the importance of information for participation in the conduct of public affairs;

Forms of popular participation in ensuring the right to work and regulating relations in labour as forms of participation of workers (in industry) and farmers (in agriculture) in decision-making;

Forms of popular participation in social relations including assurance of the right to health and adequate standard of living;

Forms of popular participation in ensuring the right to education and the right to participate in cultural life.

II. Another aspect of research would deal with the comprehensiveness of the forms of popular participation in the practice of individual countries, or with the questions whether all forms of participation in a society constitute a comprehensive system

The purpose of this analysis would be to answer whether the existing forms of popular participation make up a comprehensive system of forms and institutions of popular participation in order to be able to say that the right to participation is a separate right recognized in the legal system of a society.

The Yugoslav Government considers that such research could render possible a more comprehensive review of existing legal systems and practices in individual countries, and thus create a basis for assessment as to what extent the right to participation is recognized as a right and whether it can be qualified as one of the human rights.

II. REPLIES RECEIVED FROM VARIOUS SECTORS OF THE UNITED NATIONS

UNITED NATIONS CENTRE FOR HUMAN SETTLEMENTS

[Original: English]

[6 September 1985]

Comments and suggestions for amending the study on the right to popular participation (E/CN.4/1985/10):

Chapter I: The UNCHS (Habitat) definition of community participation comes very close to those used in the United Nations Declaration on Social Progress, article 5, and in the latest report on the World Social Situation (1982). The Centre's definition and treatment of the general aspects of the subject are contained in its publication "Community participation in the execution of low income housing projects" (Nairobi 1984);

Chapter IIB: In paragraph 39, first sentence, the term "marginal urban population" should be replaced by "low-income urban population". Further in the same sentence, it should read "which are mainly composed of inhabitants of rural origin and housed in urban slum and squatter settlements (bidonvilles, ...)".

Justification: These inhabitants represent often the majority of urban residents and should, therefore, not be called "marginal". Foreign immigrants are a very negligible part of those people. Technically speaking, all those terms listed refer to squatter settlements;

Chapter IIIC.3: In paragraph 125, first sentence, the term "associated" is far too weak. Rather, that part of the sentence should read "projects to improve housing conditions in which the concerned population are involved in planning and implementation". In paragraph 129, correct mention is made of UNCHS programme of promoting community participation.

UNITED NATIONS CENTRE FOR SOCIAL DEVELOPMENT AND
HUMANITARIAN AFFAIRS

[Original: English]

[9 October 1985]

Since women constitute half of humankind, the term "group" and the adjective "vulnerable" applied to them is not entirely appropriate (p. 11 of the document). However, the document is correct in stating that women in many countries of the world do not participate fully in development and do not draw the same benefits as men from the progress which is made in all sectors of development; in the economy, in the social sectors, and in politics.

The Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace held in Nairobi in 1985 has contributed to a clarification of the reasons for this situation and has suggested strategies to overcome these obstacles. These strategies, from which

each country will select the combination best adapted to its needs, include increasing the awareness of decision-makers of the actual and potential contribution of women to equality, development and peace; the provision of institutional support for their contribution, through, among other things, the establishment of national machineries; the opening up of high posts in the administration and management for women; and the elimination of legal barriers to full participation and equality.

We should like to suggest replacing paragraph 52, page 13 with a new text:

"The Guidelines prepared by the fourth session of the Advisory Committee for the International Youth Year (A/40/256, p. 7) states that the three themes of the International Youth Year: Participation, Development, Peace are distinct yet interrelated. Participation means the recognition throughout society that each person has the potential of judging and deciding matters that concern his or her life and has every opportunity of doing so. It requires also that each person is aware of this opportunity, has access to the means necessary for utilizing it and feels satisfied that his or her contribution has been both effective and recognized as such. Youth cannot participate meaningfully where they are the objects of any form of exploitation. Yet the full participation of youth in the life of the nation is important to the achievement of social justice and the attainment of the objectives of national development."

We also should like to suggest the replacement of the existing text on "Elderly persons" (p. 13) with the following contribution which should be headed by the term "Aging", to be consistent with United Nations terminology:

3. Aging

53. The General Assembly, in its decision to convene the World Assembly on Aging in 1982, emphasized that all regions of the world are witnessing an increase in the absolute and relative size of their aging population. This phenomenon, coupled with the increasing emphasis on development, was seen to have serious social and economic implications for societies as a whole and for the aging. For this reason, the General Assembly convened the World Assembly on Aging as a forum to launch an international action programme aimed at guaranteeing social and economic security to the aging, as well as opportunities to contribute to their national development. This action programme was distilled in the Vienna International Plan of Action on Aging, the first comprehensive international instrument in the field of aging, which was adopted by the World Assembly and endorsed by the General Assembly at its thirty-seventh session in 1982.

It seems to us that in light of reformulated paragraph 53, the existing paragraph 54 should be omitted and paragraphs 55, 56 and 57 should be renumbered. In addition, the text of a new paragraph 57 could read as follows:

"The Vienna International Plan of Action on Aging emphasizes those developmental issues which consider the aging within the context of society at large. These issues are concerned with the role of the aging in the developmental process, particularly in such crucial areas as the relationship between the aging of populations and social and economic developments, the effect of urbanization and industrialization, and the

role of the aging in integrated rural development. The Plan of Action on Aging presents 62 recommendations designed to enable the elderly to secure and strengthen their role as both agents and beneficiaries of development, and to allow societies to fully mobilize and utilize the extremely valuable manpower resources that the aging represent for the benefit of the population as a whole."

We also would like to suggest one more modification: page 14, section 4 Disabled persons, paragraph 59, the first sentence should read:

"With regard to national measures, a report of the Secretary-General to the thirty-seventh session of the General Assembly has indicated that many States have reviewed their legislation ..."

The note at the end of paragraph 59 should be changed to A/37/351.

UNITED NATIONS DEVELOPMENT PROGRAMME

[Original: English]

[30 October 1985]

We find the study on "Popular participation in its various forms as an important factor in development and in the full realization of all human rights", to be a comprehensive and balanced treatment of this vast, complex subject. Since the date of submitting our report on UNDP activities, we have continued to give increasing emphasis to the question of popular participation and development by the launching of a number of pilot and experimental projects, prominent among which are grass-roots initiative funds. These projects address the need of many poor and isolated communities for a small amount of funds (typically \$1,000 - \$10,000) for projects of high priority which they identify and carry out on the basis of volunteer labour from the community. Such activities include the digging, repair and maintenance of boreholes and wells in drought afflicted areas, the construction of small earth dams to retain rain water in such regions, the construction of vaccination parks to help control the spread of animal diseases which result from the overcrowding of animal populations in the vicinity of water points during drought conditions, and others. We therefore hope that the issuance of this report will serve to stimulate greater awareness both in donor and recipient countries of the critical importance of increasing the volume and reach of people-centred development activities, both as a means of confronting pressing problems of the day and of bringing about more self-reliant and, ultimately, self-sustaining forms of development activity.

UNITED NATIONS ENVIRONMENT PROGRAMME

[Original: English]

[7 November 1985]

The paper provides a good analysis of popular participation as a factor in development representing broadly based distribution of its benefits, and as an aspect of sharing in the decision-making process for development.

However, the potential mutual support between popular participation in the senses mentioned above and accelerated and sustained economic growth may be emphasized. The latter is particularly important in respect of restoration and management of the natural resource base and environmental conditions.

UNITED NATIONS OFFICE OF THE DISASTER RELIEF CO-ORDINATOR

[Original: English]

[16 July 1985]

Apart from recognizing the responsibilities of Governments of disaster-prone countries for making effective preparedness arrangements and conducting proper relief operations (A/RES/38/202; 37/144; and 36/225, preambular paragraphs) and so attempting to ensure the "human rights" of protection and, for disaster survivors, of receiving appropriate and timely assistance, the General Assembly has not so far pronounced itself upon the issue of popular participation in questions relating to disaster management. UNDRO has always promoted the need for public education as a part of disaster preparedness, and in so far as such campaigns are successful, they may have the effect of stimulating or reinforcing the actions of the Government. Certainly co-operation between the public and the authorities is necessary, particularly in relief operations like evacuation, for example, but also in matters such as the observance of zoning laws.

Popular participation is a process which, in these areas at least, involves both rights and duties, and we believe it is important that this should be fully understood by all concerned.

III. REPLIES RECEIVED FROM SPECIALIZED AGENCIES

INTERNATIONAL LABOUR OFFICE

[Original: French]

[8 November 1985]

The most recent activities of the International Labour Office (ILO) include:

The preparation of guidelines for activities to promote popular participation in rural development and the publication of a manual on the ILO's work in this regard, including the role it plays in the ACC Inter-Agency Panel on popular participation;

The intensification of participatory research carried out with poor rural communities as part of catalyst activities to promote their participation in development through their own organizations;

Ongoing educational activities for the promotion in various regions of rural workers' organizations and the strengthening of their role to enable the persons concerned to identify their priority needs and possible solutions;

The programme on co-operatives and co-operative-type groups, which includes a wide variety of activities in keeping with the needs and possibilities of the members of such organizations, who are primarily from the most disadvantaged rural population sectors. The ILO's co-operative activities are designed to promote economically viable institutions based on the co-operative principles of freedom of membership, democratic management and the equitable sharing of the surpluses produced. Accordingly, most co-operative activities focus on the organization of the production, processing and marketing of agricultural products and handicrafts, on supplies of ordinary consumer goods and capital and producer goods, on the creation of further jobs and the maintenance of the employment level, on the improvement of the members' living and working conditions, on the mobilization of their savings for local development and on the improvement of food security, particularly in vulnerable urban and rural areas of Africa.

This programme is also designed to promote co-operatives in the informal urban sector, particularly through the establishment of co-operatives which are sponsored by workers' trade unions and include consumer, labour and workers' production co-operatives.

The ILO International Centre for Advanced Technical and Vocational Training in Turin is taking part in training and co-operative management.

Many technical co-operation projects have provided national co-operative movements with multi-disciplinary technical advice and support and the ILO has maintained contact with other organizations working to promote co-operatives, including the Joint Committee for the Promotion of Aid to Co-operatives (COPAC), of which it is a member.

It may be noted that the ILO Rural Workers' Organisations Convention, 1975 (No. 141) refers to the very wide variety of organisations of this kind, while report III (part 4 B) by the Committee of Experts on the Application of Conventions and Recommendations to the 69th session of the International Labour Conference (paragraphs 350 and 352) stresses that trade unions are the most

advanced form of organisation and the one best able to create necessary conditions for true development in rural areas and that more active assistance by the existing trade union movement would no doubt enhance the possibilities for the promotion of workers' organisations in this sector.

Attention is also drawn to other activities for the promotion of popular participation in development, including those carried out as part of special public works programmes and programmes intended for such population groups as refugees, women heads of household starting businesses at home and migrant workers.

The Board of the International Institute for Labour Studies, set up by the ILO in 1960, has, moreover, just adopted a new programme which was submitted for approval to the ILO Governing Body at its November 1985 session. One of the main themes of the programme is participation in its various forms and, in particular, popular participation in development.

It should be pointed out that there is probably an error in document E/CN.4/1985/10, paragraph 85, footnote 17, since Nos. 91, 94 and 149 refer to ILO Recommendations, not to Conventions. If a corrigendum is issued, reference might also be made to Convention No. 141. With regard to paragraph 114, footnote 42, of the same document, the study on Spain, which was prepared at the time of the previous régime, is now of historical interest only and study No. 79 on the Soviet Union was recently published in the Série de recherche by the above-mentioned Institute.

FOOD AND AGRICULTURE ORGANIZATION

[Original: English]

[30 October 1985]

The study is considered to adequately cover the subject of popular participation in its various forms as an important factor in the development and in the full realization of human rights.

The study refers to the World Conference on Agrarian Reform and Rural Development (WCARRD) held at FAO headquarters in Rome in July 1979. The Conference adopted a Declaration of Principles and Programme of Action highlighting people's participation as a basic human right in the institutions and systems which govern their lives. The WCARRD Programme of Action represents a commitment by the international community to shift development objectives and assistance towards the alleviation of rural poverty. According to the Programme of Action, national objectives and strategies should be governed by policies for attaining growth with equity, people's participation and redistribution of economic and political power.

The Twentieth session of the FAO Conference (November 1979), in resolution 7/79 on the follow-up to WCARRD, "called upon all States concerned in FAO to take active measures which will assist in the establishment and strengthening of self-reliant and representative rural organizations including rural women's and youth organizations so that such organizations can effectively and democratically participate in the implementation of the Programme of Action".

FAO has assisted countries in implementing these mandates through a number of programmes of varying participatory approaches, according to the needs of the rural poor. These programmes include People's Participation in Rural Development through Promotion of Self-Help Organizations (PPP), including the Small Farmers' Development Programme (SFDP), Community Action for Disadvantaged Rural Workmen (CADRW); Forestry for Local Community Development (FFHC/AD), Programme for Integrated Development of Small Scale Fishing Communities; International Support Programme for Farm Water Management. Support for small farmers co-operatives is provided by the Programme entitled Appropriate Management Systems for Agricultural Co-operatives (AMSAC).

The World Conference also recognized the need for a continuing system of follow-up by countries and by the international community of the provisions of the Programme of Action. It therefore provided for a system of monitoring, by the countries themselves, of progress in relation to their own objectives and targets through the use of socio-economic indicators against benchmarks around the year 1980 for measuring progress in agrarian reform in rural development in accordance with the objectives of growth with equity through people's participation. The first Progress Report, entitled "Development Strategies for the Rural Poor", was published by FAO in 1984. It is an analysis of country experiences in the implementation of the WCARRD Programme of Action.

With regard to people's participation, the above report concludes that, while there was little progress in policies for providing access to land, there has been increasing recognition of people's participation. Though there has been a marked progress in its conceptualization in development plans, its translation into operational terms has been slow. WCARRD conceived people's participation for changing political and economic power in three inter-related areas, namely, people's organizations, institutional decentralization of government decision-making and participation in agrarian reform.

For enhancing people's organizations, a primary recommendation of WCARRD is the removal of all barriers to the free association of rural people in organizations of their choice and the ratification and enforcement of related ILO Conventions. Progress in this area has thus far been very limited.

An emerging trend in the post-WCARRD period has been with relation to homogeneous groupings of the rural poor and their strengthening by specially established credit institutions such as the Village Bank for the Landless in Bangladesh. Agricultural co-operatives continue to be regarded by many countries as a primary vehicle for promoting people's participation in rural areas. Country reports and in-depth studies show a growing awareness of the inadequacies of conventional co-operatives in serving small farmers and other rural poor because of the influence of rich farmers and traders. However, conscious efforts towards orienting co-operatives to service small farmers have been reported.

The effectiveness of rural people's organizations as a mechanism for participation depends on the extent of administrative decentralization of government functions, decision-making and utilization of resources at local levels. Country experiences from China, Egypt, Bangladesh and Ghana, reviewed by the Progress Report, illustrate a perceptible trend towards decentralization in the post-WCARRD period.

Another important change in policies and programmes has been the increasing recognition of rural women as primary producers and their need for services to enhance their role in promoting rural development. The links between the food crisis and marginalization of women producers and the realization of the negative impact of excluding rural women from the benefits of technological advances, credit and marketing and services have led to actions for improving the status and productivity of rural workers. Most countries have now established women's units within the governmental machinery and in some countries women's co-operatives and other participatory organizations have been formed. Countries in Africa have shown increased attention to the participation of rural women as crop producers in response to WCARRD and the Lagos Plan of Action.

IV. REPLIES RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

ANTI-APARTHEID MOVEMENT

[Original: English]

[23 August 1985]

Our organization exists to support the struggle for freedom in Namibia and South Africa. It is clear that since the racist constitution of South Africa denies popular participation by the great majority of citizens, this is further evidence of the denial of human rights to that majority. This also applies, of course, to Namibia.

FOUR DIRECTIONS COUNCIL

[Original: English]

[22 July 1985]

We take particular interest in paragraphs 62-72 of the study of the Secretary-General (E/CN.4/1985/10), concerning the relationship between popular participation and the right to self-determination, and will confine our comments to direct experience with this issue.

Means of exercising self-determination

To begin with, we take it to be fundamental, that no change in the political status of a people or their territory should be recognized by the United Nations, unless it reflects the democratically-expressed wishes of the people themselves. We do not conceive that consultations with purportedly representative individuals satisfies this requirement. It is far too easy for an administering Power to appoint, or influence the selection of representatives in a manner that defeats the interests of a significant part of the population concerned, even a majority of them.

A contemporary (albeit by no means the worst) example of this problem has been Canada's decision to recognize only four organizations, all of them financed by that Government itself, for negotiating the future political status of that country's culturally-diverse indigenous peoples. Other indigenous groups, many of which formerly enjoyed formal treaty relations with Canada and the United Kingdom, have repeatedly offered to contribute to these discussions, but have been excluded solely on the pretext that any wider or freer representation of indigenous peoples would not be "practical" (27 April 1985 letter of B. Mulroney, Prime Minister of Canada, to A. Denny, Kji-kapten, Sante' Mawi'omi wjit Mikmaq). In other words, the Government has declined to discuss changes in the political status of indigenous peoples with the indigenous councils it formerly recognized by treaty, preferring instead only to deal with contemporary organizations of its own making and choosing.

While we appreciate this Government's willingness to revise its relations with indigenous peoples through peaceful bilateral means, we would not wish to see such restricted, consultative arrangements encouraged. In our view, they do not represent "popular participation" by all of the peoples concerned, and thus jeopardize the achievement of a lasting reconciliation.

Similarly, we feel that referendum elections must be designed to take into account the cultural and historical diversity of communities within the affected territory. All distinct communities must be given the opportunity to express their wishes separately; allowing an overall numerical majority to govern the outcome may simplify matters in the short run, but will almost certainly lead to disappointments and civil tensions later.

Within our own region, we might take Alaska as an example. A referendum on integrating this non-self-governing territory with the United States was conducted in 1958. At that time, more than one-third of the territory's population was indigenous, but their vote was combined with that of the settler population. No effort was made to ascertain whether indigenous communities and settlers had different aspirations. As a result, settlers gained numerical-majority control of the new regional government, and indigenous autonomy has become a growing source of controversy.

Self-determination as an ongoing process

We concur fully with the views of Australia, summarized in paragraph 70 of the study, that self-determination should be viewed as an "ongoing process" that continues after a people has achieved independent statehood. We would not restrict this to the right of free elections, however, because there are situations in which the internal constitutional arrangements of a democratic State, although they guarantee the right to vote, do not protect the safety of numerical minorities.

This may occur, for example, where some communities within the territory were unable to participate freely in negotiating the original constitution of the State when it achieved its independence. This is a consideration in North America because indigenous peoples were not recognized as citizens at the time, and no constitutional arrangements originally were made to protect their autonomy. In such cases the excluded communities may enjoy the right to vote, but in practical terms they remain permanent electoral minorities within an institutional framework they did not choose and are powerless to change.

It is significant that non-indigenous North Americans established a system of regional autonomy for themselves in their original constitutions (the system of federal "States" in the United States and confederated "provinces" in Canada), but established no parallel system of autonomy for the disenfranchised indigenous population.

Even political constitutions accommodating regional differences and recognizing some degree of regional autonomy may grow unsatisfactory as regions' populations and economies change over time. Maintaining order and co-operation in a regionally-diverse State requires periodic re-assessment and readjustment of the constitutional distribution of powers. From the standpoint of preserving peace and promoting individual freedom, the right to insist upon such periodic rearrangements may be every bit as important as the right of the communities involved to combine to form an independent State in the first place.

Here, too, recent Canadian experience merits consideration, both positive and negative. Renegotiating the terms of association of Canada's 10 provinces, from 1978 to 1982, was a progressive programme, resulting in regional redistributions of power and the adoption of a national charter of human rights.

We view such programmes as the highest development of the principle of self-determination as an ongoing exercise within independent States. Canada's process of renegotiation excluded the indigenous population, however, which had either come within Canada under a separate system of treaties and agreements, or had simply been absorbed by unilateral extensions of Canada's territorial boundaries.

As it has frequently explained to the Commission, the Government of Canada is now attempting through separate negotiations to revise its relations with indigenous peoples. But these new negotiations remain subject to the arrangements previously agreed among the provinces. This formally subordinates indigenous peoples' role within the process of constitutional "renewal" and limits the flexibility with which a new relationship can be sought. In our opinion, the principle of self-determination not only encourages the periodic renegotiation of arrangements within regionalized States, but requires that all regions and communities enjoy an equal footing in the process.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS

[Original: English]

[5 November 1985]

Freely exercised participation - through freely constituted organizations - in all aspects of the social, economic, cultural, civil and political life is not just an important factor in, but a prerequisite for, development and full realization of human rights. We agree with the final study on the right to popular participation (E/CN.4/1985/10) where it states that "economic and social development is closely related to the promotion of human rights" and that there exist a natural reciprocity between popular participation and human rights.

Trade unions represent the most widespread form of participative organization; they are the most organized expression of freedom of association. The International Confederation of Free Trade Unions (ICFTU) therefore is of the opinion that the term "participation" does not mean mere mobilization and involvement in development efforts but consultations on the formulation and implementation of development plans, and the setting up of mechanisms which allow for effective representation of interests.

The best government encouragement to true popular participation is to guarantee the freedom to organize. As many examples have shown, in the absence of the practice of this right and the full respect of other basic human rights, projects such as co-operatives and other forms of organizations of urban and rural poor too often fail. The ICFTU helps rural workers and self-employed peasants to form independent and voluntary organizations, on the basis of ILO Convention 141. An important factor in this context are educational activities and projects.

Trade unions are also a very diversified form of participative organization; they are concerned with issues such as wage negotiations, economic policy, protection of the environment, social security, education, housing; as well as the promotion of the interests of youth and the integration of disabled persons. With the ever increasing and essential participation of women in trade unions it may be interesting to note that today approximately a third of the ICFTU's membership consists of women workers.

Trade unions' interests and concerns, like their membership, are very broad-ranging. Thus while pursuing particular issues, unions will normally attempt to present a balanced view in which the interests of particular groups are integrated with the interests of society or the nation as a whole. The Commission should perhaps be cautious in separating and categorizing issues and groups in its analysis, bearing in mind the ultimate objective of creating methods of representation and consultation which enable both the articulation of specific concerns and their reconciliation in very widely accepted policies and programmes.

In conclusion, we should like to stress that working people, the majority of any nation's population, must fully enjoy the right to organize and bargain collectively, as laid down in ILO Conventions 87 and 98, to ensure that they are able to contribute their important share to development. The International Labour Organisation by virtue of its constitution and through its instruments is fulfilling a major role in this regard within the United Nations.

INTERNATIONAL CO-OPERATIVE ALLIANCE

[Original: English]

[19 August 1985]

Comments on part II of "Popular participation in its various forms as an important factor in development and in the full realization of all human rights" (E/CN.4/1985/10), with particular reference to popular participation and rural and urban development:

1. The majority of the specialized agencies pay ever increasing attention to collaboration with the NGOs having consultative status with the United Nations. Many of these NGOs are directly involved in rural and urban development, particularly at the grass-roots level, thus contributing to People Participation Programmes developed by the organizations of the United Nations family.

For example, the International Co-operative Alliance recognizes agricultural co-operative development to be its main priority. In fact, "Cooperatives and Food" is to be discussed as the main theme of the ICA Central Committee meeting to be held this October in Washington.

In its work for rural development through co-operatives, the ICA collaborates with FAO, ILO, UNIDO and other institutions of the United Nations system.

In many instances, there are joint actions implemented as it is the case with the recently proclaimed Decade for Co-operative Development for Central, Eastern and Southern Africa, where an ICA/ILO/FAO joint mission is undertaking the evaluation tour through the countries of the region.

Many more examples could be put forward like those already mentioned.

Summarizing these remarks, we would suggest that in the document (E/CN.4/1985/10), tribute is paid to the contribution made by voluntary agencies like ICA, IFAP, WOCCU, etc.

2. At the end of 1985, the General Assembly will discuss a new Report by the Secretary-General on the National Experience in Promoting the Co-operative Movement. This will be the fourth report in the series. The three previous reports were adopted by the United Nations in 1978, 1981 and 1983.

The previous report and the resolution on this report have been approved by the Economic and Social Council at its first regular session in New York, in 1983. (A/38/63, E/1983/83).

A resolution on the report reaffirms that co-operatives play an important role in the socio-economic development of developing countries and invites the regional commissions and specialized agencies concerned to make further efforts with the view to promoting the co-operative movement as an effective instrument for the improvement of the well-being of all people and, in particular, special population groups.

As the ILO Recommendation No. 149 is mentioned in the study, it would seem natural that the Economic and Social Council document on National Experience is quoted.

3. A considerable amount of work in rural and urban development is done by the Committee for Promotion of Aid to Cooperatives (COPAC). Membership of COPAC consists of the UN, FAO, ILO, ICA, IFAP, IFPAW and WOCCU.

Created for the purpose of co-ordination in the field of co-operative development, this organization contributes considerably, through its membership, to rural and urban development, and thus deserves to be mentioned in the documents prepared for the forty-first session of the Commission on Human Rights.

4. Co-operatives are considered to be one of the most effective tools to safeguard the people's right to popular participation both in social and economic development through self-reliance.

INTERNATIONAL FEDERATION OF UNIVERSITY WOMEN

[Original: English]

[3 October 1985]

The concept of popular participation (paragraph 25 of the final study on the right to popular participation (E/CN.4/1985/10)).

Popular participation seen as "The involvement of citizens in public affairs" (a) and "an essential means of promoting development and ensuring the full exercise of human rights" (b) is particularly relevant for women. To use the words of the Cocoyoc Declaration mentioned in (b), women have a deep social need to participate in shaping the basis of their own existence and to make some contribution to the fashioning of the world's future, and they do consider the satisfaction of this need an essential aspect of human dignity. Women ask both for equal rights and for full and responsible participation in the social, economic, cultural and political life of the community.

The major phases of the development process, decision-making, follow-up and evaluation of programmes, equitable sharing of benefits (f), have special importance for women, not only in development but more broadly in all aspects of the community life, both in industrialized and developing countries.

In this context reference can be made to the Nairobi Forward-Looking Strategies for the Advancement of Women adopted at the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women,

Nairobi, 15-26 July 1985, and particularly to the paragraphs relating to equality in social participation (paragraphs 78-86) and to equality in political participation and decision-making. For instance, paragraph 78 states: "By the year 2000, all Governments should have adequate comprehensive and coherent national women's policies to abolish all obstacles to the full and equal participation of women in all spheres of society". To this end, "textbooks and other teaching materials should be continuously evaluated ... to ensure that they reflect positive, dynamic and participatory images of women" (paragraph 84). "Governments should effectively secure participation of women in the decision-making processes ... through legislative and administrative measures" (paragraph 89).

Popular participation as an important factor in development (Chapter II of the final study)

Women are at the centre of everything connected with development: agriculture, food production, processing, storage and preparation, child care, health care, drinking water and so on. It is therefore essential that women, equally with men, participate both as agents and as beneficiaries in all sectors and at all levels of the development process.

Popular participation and rural development (II.A of the final study)

Women should be able to participate in agricultural policy making and in food strategies. They should be encouraged and enabled to participate fully in co-operatives and other forms of organization relating to basic food products. They should likewise have access to financing mechanisms covering all phases of production, up to and including the marketing of food products.

As underlined in the Nairobi Forward-Looking Strategies for the Advancement of Women, rural women's access to land, capital, technology, know-how and other productive resources should be secured (paragraph 180). They should be integrated into modern technology programmes (*ibid.* paragraph 181), including appropriate food-processing technologies (*ibid.* paragraph 182).

The study on the right to popular participation rightly underlines the effective role that co-operatives can play in rural development. Unfortunately, in a number of societies, even though they do the farming, women cannot be members of rural co-operatives.

The importance of the rural population, and in particular its most disadvantaged sectors, being motivated, actively involved and organized at the grass-roots level (paragraph 29) was confirmed by a seminar on "Women's Issues in Water and Sanitation", held in Manila, Philippines, 24-26 September 1984 under the auspices of the International Development Research Centre (report in Proceedings Series, IDRC-236e, Canada). "Participation" appeared as a key concept. Women's roles, it was pointed out, although crucial in society, are often "invisible" and taken for granted. Unfortunately, planners and engineers often fail to see women's active roles in the community which explains the failure of a number of projects in which women were not involved.

Participation of vulnerable or disadvantaged groups in development (II.C of the final study)

The recognition, in this chapter, of women's special needs is greeted with appreciation. It may be useful at this point to underline the fact that women are also largely represented in the other vulnerable and disadvantaged groups

mentioned in the study, i.e. youth, elderly and disabled persons. Studies have shown that in industrialized as well as in developing countries women particularly suffer from poverty. Special mention should be made of women heads of families and older women.

Freedom of expression and information (III.B.1 of the final study)

Expression and information cannot be dissociated from basic education. It is a matter of immense concern to us that female illiteracy remains so high worldwide and has even increased during the United Nations Decade for Women.

However, thanks to the audio-visual media, to which so many people now have access everywhere in the world, information can be made available even to illiterates and is particularly useful to women, for instance in the fields of child care, nutrition or agriculture.

Speaking of media, much still needs to be done to ensure the full participation of women in all media, at all levels.

Rights relating to employment and work (III.C.1 of the final study)

Women in rural areas "are heavily over-burdened by their maternal, food-producing, processing and cooking chores: fetching water, gathering firewood, mending clothes and repairing huts". (Report by the Secretary-General of the United Nations Conference on the Least Developed Countries, Paris, September 1981, Chapter II, paragraph 44). It is therefore essential that their work-load be lightened and they have access to the appropriate modern labour-saving household devices.

Right to social security (III.C.2 of the final study)

It comes out of reports from national associations of university women that, while a lot still needs to be done towards developing social security systems for all, women need particular attention for they are even less protected than men, especially in the field of retirement schemes and taxation.

Right to housing (III.C.3 of the final study)

"Governments should integrate women in the formulation of policies and plans for the provision of basic shelter and infrastructure. To this end, enrolment of women in architectural, engineering and related fields should be encouraged." (Nairobi Forward-Looking Strategies, paragraph 206). "Women and women's groups should be participants in and equal beneficiaries of housing and infrastructure construction projects. They should be consulted in the choice of design and technology of construction and should be involved in the management and maintenance of the facilities." (*Ibid.* paragraph 207).

A Seminar on Women and Shelter to be held in Vienna from 9 to 20 December 1985 is being organized by the Branch for the Advancement of Women, Centre for Social Development and Humanitarian Affairs, and the Centre for Human Settlements, to discuss ways and means of enhancing women's participation in the construction sector as well as of improving the shelter status of women.

Right to health (III.C.5 of the final study)

This sub-title should rather read "right to health care".

"The vital role of women as providers of health care both inside and outside the home should be recognized." (Nairobi Forward-Looking Strategies, paragraph 148). This is also said in the study (paragraph 136), through the example of India, where health programmes which envisage effective local community participation put emphasis on the role of women in the promotion of health within the family.

Health implies adequate food. Women are the most affected by the food problem and on the other hand play a key role in food production and food consumption processes. Training programmes should therefore be designed to increase yields of food crops, in their processing and preparing of food, as well as in improving the nutritive content of the family diet. Moreover, if women are to enjoy their full health and work capacity, they must have their share of the food they have produced and prepared; too often they are expected to eat only after the male members of the family have been served.

As recognized in the World Population Plan of Action and reaffirmed at the 1984 International Conference on Population, all couples and individuals have the basic human right to decide freely and responsibly the number and spacing of their children. Family-planning services should therefore be made available to all.

Right to education (III.C.6 of the final study)

"Education is the basis for full promotion and improvement of the status of women. It is the basic tool that should be given to women in order to fulfil their role as full members of society." (Nairobi Forward-Looking Strategies, paragraph 163). Therefore, any action aimed at providing equal educational opportunities for all, especially girls and women (study, paragraph 142) should be encouraged and strengthened.

Our times are greatly affected by the development of new technologies. It is therefore essential that, both in industrialized and developing countries, women become beneficiaries of this development and not victims, as is too often the case. They should therefore be prepared for the coming technological world and equipped to adapt to the necessary changes. Women should have proper access to scientific and technological education, including technical and vocational training, re-training and apprenticeship.

INTERNATIONAL PLANNED PARENTHOOD FEDERATION

[Original: English]

[24 September 1985]

The International Planned Parenthood Federation (IPPF) has a particular concern for the involvement of women in popular participation, especially with respect to health and welfare issues which, in large measure, is integral to our raison d'être. For burdened as so many women are by repeated and often excessive child-bearing over which they have little or no control, it is crucial for them to have access to adequate family planning information and services to free them to realise their full potential in development.

This basic human right to family planning has been clearly recognized by the international community in the Proclamation of Teheran, the 1974 World Population Plan of Action, the 1984 International Conference on Population, and by the 1985 Conference to Review and Appraise the Achievements of the United Nations Decade for Women recently concluded in Nairobi. It is also explicitly stated in IPPF's own policy on the Human Right to Family Planning.

In the light of this, we certainly would have been pleased to see some reference in the study to the need for provision of this basic human right as a prerequisite to enable women to participate fully in development. At present, there are various sections of the study (e.g. paragraphs 44, 51, 88, 94, 110, 142 and 167) which outline forms of popular participation for women but which, we feel, they will not be able to enjoy unless and until they have access to and subsequently accept and practise family planning.

We therefore very much hope that favourable consideration would be given to the incorporation in the study of an unequivocal reference to the need for access to adequate family planning services. This would not only significantly strengthen the study and its report, but would give added reinforcement to the work of UNFPA and other United Nations agencies in their efforts to promote family planning both as a basic human right and as an essential ingredient in the participation of women in the development process.