

Distr.
LIMITED

E/CN.4/1993/L.26
22 February 1993

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 8

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

Afghanistan*, Algeria*, Bangladesh, Bhutan*, Burundi, Chile, China, Colombia, Cuba, Democratic People's Republic of Korea*, Gabon, Gambia, Ghana*, Guatemala*, Guinea-Bissau, India, Indonesia, Iraq*, Iran (Islamic Republic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mexico, Mongolia*, Morocco*, Myanmar*, Nigeria, Pakistan, Peru, Philippines*, Rwanda*, Singapore*, Sri Lanka, Sudan, Swaziland*, Syrian Arab Republic, Tunisia, United Republic of Tanzania*, Venezuela, Viet Nam*, Yemen*, Zambia and Zimbabwe*:
draft resolution

1993/... The right to development

The Commission on Human Rights,

Recalling the resolutions of the General Assembly and its own resolutions on the right to development,

Reaffirming the principles contained in the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the report on the Global Consultation on the Realization of the Right to Development as a Human Right (E/CN.4/1990/9/Rev.1),

Stressing the importance of the principles of non-selectivity, impartiality and objectivity in the field of human rights,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Noting that economic development and respect for human rights are twin foundations of peaceful and friendly relations among nations and that, therefore, the United Nations has a duty to promote the right to development under Article 55 of the Charter of the United Nations,

Recalling General Assembly resolution 47/123 of 18 December 1992 in which it requested the Secretary-General to submit to the Commission on Human Rights at its forty-ninth session concrete proposals on the effective implementation and promotion of the Declaration on the Right to Development, and also requested the Office of the Under-Secretary-General for Economic and Social Development and the Centre for Human Rights to continue the coordination of the various activities with regard to the implementation of the Declaration,

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights,

Taking note of the report of the Secretary-General (E/CN.4/1993/16) containing his concrete proposals for the effective implementation and promotion of the Declaration on the Right to Development, prepared in accordance with Commission resolution 1992/13 of 21 February 1992,

Mindful that the Commission on Human Rights entered a new phase in its consideration of this matter, which is directed towards the implementation and further enhancement of the right to development,

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Noting with interest the final documents of the Tenth Conference of Heads of State or Government of Non-aligned Countries held at Jakarta from 1 to 6 September 1992,

Welcoming the Final Declaration adopted at Tunis by the Regional Meeting for Africa of the World Conference on Human Rights (A/CONF.157/AFRM/14-A/CONF.157/PC/57, chap. I) and the San José Declaration on Human Rights adopted by the Regional Meeting for Latin America and the Caribbean (A/CONF.157/LACRM/12-A/CONF.157/PC/58),

1. Recalls that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural, and

political development, in which all human rights and fundamental freedoms can be fully realized;

2. Recalls also that all human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development;

3. Recognizes that the biggest obstacles to the realization of the right to development lie at the international macro-economic level as reflected in the widening gap between the North and the South, the rich and the poor;

4. Recognizes also the existence of impediments at the national level;

5. Notes with concern the lack of coordination in the United Nations system of the effective implementation of the principles contained in the Declaration on the Right to Development;

6. Reiterates the principles of non-selectivity, impartiality and objectivity in the field of human rights;

7. Urges all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to contribute to its application;

8. Encourages all States, when formulating their national policy and development plans, to include explicit provisions on the right to development and to give special consideration to all basic human needs, particularly in the fields of education, primary health care, nutrition and employment;

9. Recalls that in its resolution 47/123, the General Assembly called upon the World Conference on Human Rights and its Preparatory Committee to take fully into account the Declaration in examining the relationship between economic and social development, democracy and the enjoyment of human rights and the indivisibility and interdependency of economic, social, cultural, civil and political rights, and the fact that economic and social progress facilitate the growing trend towards democracy and the promotion and protection of human rights;

10. Takes note with appreciation of the report of the Secretary-General containing concrete proposals for the effective implementation and promotion of the Declaration on the Right to Development;

11. Decides to establish, initially for a three-year period, a thematic working group on the right to development, composed of 15 governmental experts to be appointed by the Chairman of the Commission on Human Rights at its forty-ninth session, on the basis of equitable geographical representation and in consultation with the members of the Bureau, with the following mandate:

(a) To identify obstacles to the implementation and realization of the Declaration on the Right to Development, on the basis of information furnished by Member States and other appropriate sources;

(b) To recommend ways and means towards the realization of the right to development by all States;

12. Requests the Working Group to submit to the Commission at its fiftieth session an initial, comprehensive report on the obstacles affecting the implementation of the Declaration and to continue reporting to the Commission, on a yearly basis, on its work;

13. Requests the Secretary-General to ensure that the Working Group receives all necessary assistance, in particular, the staff and resources required to fulfil its mandate;

14. Requests the Secretary-General to invite Governments and intergovernmental organizations to communicate sample projects to the Advisory Services and Technical Assistance Branch on the effective implementation of the Declaration on the Right to Development;

15. Requests the Economic and Social Council to include on the agenda of its substantive session of 1993, a separate item entitled "The implementation of the right to development as a human right" and to request the General Assembly to include on the agenda of its forty-ninth session a separate item under the same title;

16. Decides to consider at its fiftieth session the agenda item entitled "Question of the realization of the right to development".
