



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/AC.45/1994/4
19 September 1994

ENGLISH
Original: ENGLISH/FRENCH

COMMISSION ON HUMAN RIGHTS
Working Group on the Right to Development
Third session
3-14 October 1994

Report of the Secretary-General submitted in accordance
with Commission on Human Rights resolution 1993/22

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
Introduction	1 - 7	2
REPLIES RECEIVED FROM GOVERNMENTS		
Azerbaijan	8 - 16	3
Belize	17 - 20	4
China	21 - 34	4
Côte d'Ivoire	35 - 38	8
Croatia	39 - 48	8
Fiji	49 - 74	10
Finland	75 - 90	15
Germany	91 - 97	17
Kazakhstan	98	19
Libyan Arab Jamahiriya	99 - 109	19
Madagascar	110 - 118	21
Mauritius	119	23
Myanmar	120 - 123	23
Yugoslavia	124 - 156	24
Zimbabwe	157 - 171	29

Introduction

1. In its resolution 1993/22 of 4 March 1993, the Commission on Human Rights recalled that the right to development was an inalienable human right by virtue of which every human person and all peoples were entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms could be fully realized. The Commission recognized that the biggest obstacles to the realization of the right to development lay at the international macroeconomic level and also recognized the existence of impediments at the national level.

2. In paragraph 10 of that resolution, the Commission decided to establish, initially for a three-year period, a working group on the right to development, 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.

3. In pursuance of Commission resolution 1993/22, the Secretary-General, on 6 December 1993, addressed a note verbale to Governments and a letter to United Nations bodies and specialized agencies and to intergovernmental and non-governmental organizations on the subject of the obstacles to the implementation and realization of the Declaration on the Right to Development.

4. In its resolution 1994/21 of 1 March 1994, the Commission on Human Rights, having considered the report of the Working Group on the Right to Development on its first session (E/CN.4/1994/21 and Corr.1), requested the Secretary-General to invite Governments, international financial institutions, the regional economic commissions, the relevant bodies and organizations of the United Nations system and non-governmental organizations to provide the Working Group with the necessary additional information, taking into account, inter alia, the preliminary guidelines and the checklist contained in annex I to the Report of the Working Group.

5. Pursuant to this request, the Secretary-General, on 26 April 1994, addressed a note verbale to Governments and a letter to United Nations bodies and specialized agencies, and to intergovernmental and non-governmental organizations transmitting Commission resolution 1994/21, as well as the guidelines and checklist prepared by the Working Group.

6. By 30 August 1994, replies had been received from the following Governments: Azerbaijan (20 April 1994), Belize (15 April 1994), China (27 May 1994), Côte d'Ivoire (23 June 1994), Croatia (8 July 1994), Fiji (25 August 1994), Finland (5 July 1994), Germany (14 July 1994), Kazakhstan (13 January 1994), Libyan Arab Jamahiriya (13 May 1994), Madagascar (19 August 1994), Mauritius (13 May 1994), Myanmar (8 July 1994), Yugoslavia (29 July 1994) and Zimbabwe (2 August 1994).

7. The present report, prepared for the third session of the Working Group, contains the substantive information and comments provided in their replies by Governments.

Azerbaijan

8. The Azerbaijani Republic, having attained independence and entered the world community as a sovereign State, has assumed the obligations embodied in the purposes and principles of the Charter of the United Nations, including the obligation to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.

9. The democratic changes, the construction of a pluralist secular State and the reform of the economic system in the Azerbaijani Republic are mainly founded upon the greatest possible regard for the interests of all individuals in the realization of their rights in economic, social, cultural and political development in which all fundamental human rights and freedoms can be fully realized.

10. However, the armed aggression by the neighbouring Republic of Armenia against the Azerbaijani Republic, which has continued for over six years and has led to the occupation of some 20 per cent of its territory and the death of tens of thousands of people, has resulted in a marked deterioration in the well-being of the entire population and made it impossible fully to ensure the free and complete fulfilment of the human being or to promote and protect an appropriate political, social and economic order for development.

11. As a result of the forced deportation of Azerbaijanis from Armenia and the occupation of part of the territory of the Azerbaijani Republic, about a million people have become refugees and displaced persons, having lost the roof over their heads and being left in reality without means of subsistence.

12. The following figures also testify to the destructive consequences of the war forced upon Azerbaijan: The occupiers have seized and destroyed 700 inhabited localities, 600 agricultural units, 107,000 residential buildings, 3,000 social and cultural facilities, 541 secondary schools, 219 pre-school establishments and 250 hospitals.

13. The open disregard by the Republic of Armenia of the relevant resolutions of the United Nations Security Council demanding the immediate cessation of all military action and the immediate, complete and unconditional withdrawal of the occupying forces from all occupied areas of the Azerbaijani Republic and its flouting of the fundamental standards and principles of international law, principally those relating to the observance and safeguarding of the rights and freedoms of the individual, are unhappily not leading to a proper appraisal on the part of the world community or to the necessary measures to curb the aggressor.

14. Therefore, believing international peace and security to be the most important factors in the realization of the right to development, we consider it of the utmost importance that priority attention should be given to the determination of practical steps to give effect to the provisions of article 5

of the Declaration and to devise effective machinery, including resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings resulting from foreign domination and occupation, aggression, foreign interference and threats against the national unity and territorial integrity of States.

15. Respect for and observance of the principles of international law form the basis of the international law and order essential for the full realization by everyone of the rights and freedoms of the individual and, in particular, the right to development.

16. We also wish to state that, with a view to effective implementation of the provisions of article 4, paragraph 2, of the Declaration, it appears important to intensify coordinated international measures in providing various forms of assistance to developing States and to States which are bearing the burden of the aggressive acts of other States, since under such circumstances objective difficulties arise in applying state measures aimed at the social welfare of various population groups (the aged, children, women, refugees and the disabled).

Belize

17. The Government of Belize is pleased to inform the Working Group of activities undertaken in Belize in respect to human development.

18. Most recently the Ministry of Human Resources and Youth Development has completed a draft of a national plan of action for human development, centred around and including specific provisions on the rights of our citizens to development. The plan aims to ensure Belize's proficiency in the basic human needs and full participation in education, primary health care and employment.

19. In addition, the Government's policy of free education for all levels up to university should be noted; thus far implementation up to high school has occurred with a four-year programme for full implementation of this policy.

20. Primary health care is free and easily accessible for all citizens, and the Constitution of Belize provides for all Belizeans to have access to work. As always, the policies and practices affecting the right to development are constantly under review.

China

21. The Government and people of China attach great importance to the right to development. The Chinese Government has always participated actively in the discussions of the international community on this question. Convinced that the right to development is one of the primary and most fundamental of human rights as far as the vast number of developing countries, including China itself, are concerned, it has promoted the setting up of a working group to undertake work in this area. Encompassing as it does economic, cultural and social, as well as political elements, the right to development is not just an individual right but also a national and collective right. The development of a country and of an individual are consistent with and complementary to each other. It is the former that provides a favourable

political, economic and social environment for the latter and, in turn, it is the latter which can, on this basis, give impetus to the former. Without the one, the other loses its meaning.

22. While the Chinese Government acknowledges and respects the individual's right to development, it does not accept that a one-sided emphasis on this right should negate and replace a country and a nation's right to development. When it comes to the correlation between democracy and development, the Chinese Government maintains that development, democracy and human rights are mutually enhancing and mutually reinforcing. The realization of fundamental democratic and civil rights and the establishment of the rule of law at the political level cannot but facilitate the economic and social development of a country. On the other hand, economic development, by enabling people to transcend poverty, hunger, disease and illiteracy, will create the conditions indispensable for their enjoyment of democracy and human rights.

23. Promoting and achieving the right to development is therefore the urgent and arduous task confronting the international community. A concerted effort by it - and by each country and each individual - will be required to overcome the present obstacles to the normal development of nations in the world and to foster international and domestic conditions conducive to the realization of the right to development.

A. The international community should be more concerned about the right to development and the full implementation of that right

24. Although the right to development has been uniformly recognized by the international community, nevertheless up to now it has not been given the attention it deserves. Over the years, there has been a conspicuous bias in favour of civil and political rights over economic, social and cultural rights and the right to development. In fact, several countries in their practice are so partial to individual freedom and democratic political rights that they still insist on the antiquated notion that economic, social and cultural rights and the right to development do not fall within the purview of human rights.

25. The Chinese Government maintains that the prerequisites for the realization of the right to development must be, first, the recognition that the right to development is a universal and inalienable human right and, second, the affirmation that economic, social and cultural rights are as important as political and civil rights and that all are correlated and inseparable. The international community must pay more attention to fulfilling the right to development of all countries, especially of the developing countries, increase cooperation and take an active, balanced and non-antagonistic approach towards the right to development by setting up effective machinery for the realization of that right.

26. The Chinese Government would argue that the right to development is as important to the developed countries as to the developing countries. The world economy is an indivisible whole, and countries in their development are closely connected to one another. As this economic interdependence deepens, the overall implementation of the right to development takes on a more obvious significance. The Government and people of China are convinced that, as the right to development becomes universally recognized and practised by the

international community, it will exert a tremendously beneficial impact on the common prosperity and growth of both developed and developing countries.

- B. The right to national self-determination must be respected; a normal and new kind of political relationship between countries must be established on the basis of equality and non-interference in each other's internal affairs

27. The Chinese Government holds that the right to national self-determination is the most basic prerequisite for the enjoyment of all human rights and fundamental freedoms. Respecting national self-determination means safeguarding the independence, sovereignty and territorial integrity of a country. It means allowing its people freely to choose and to elaborate a socio-economic model and development approach that are adapted to the characteristics of that country. It means, finally, allowing them to decide their own destiny and to develop their nation's economy by themselves and for themselves. Any incursion, interference and control from outside can only prevent that country from making good use of all favourable internal and external conditions for its development and will therefore be opposed by everyone in the international community.

28. Currently, at the international level, there is still the anomaly of politicization of the question of human rights. A few countries are using human rights as a pretext to interfere in the internal affairs of other countries, to exert political pressure on other countries, to try to force other countries to alter the political-economic system and the path to development suited to their particular characteristics, and to throw up roadblocks to obstruct the development of other countries. This kind of practice, so inconsistent with the Charter of the United Nations, has had consequences which are seriously detrimental to some regions. The international community must make an effort to help developing countries to expand their economies free from outside interference.

29. Many developing countries, including China, are deeply sensitive to any kind of colonialism, racism, hegemony, power politics, foreign invasion, occupation, abuse of sovereignty and similar impediments against people running their own affairs that invariably threaten a country's right to development. Eliminating such impediments calls for a concerted effort by the international community to create a favourable world environment which can lead to a new kind of international relations based on mutual respect, tolerance of differences, non-interference, equal treatment and cooperation for mutual benefit. Only with such a new world order in place can we expect genuine collaboration in fulfilling the right to development.

- C. A new international economic order must be established on the basis of equality and mutual benefit

30. In the international economic arena, the environment which prevails is basically unjust and irrational. It has consistently widened the gap between the North and the South, the rich and the poor. Poverty is now the greatest obstacle to the enjoyment of human rights by the people of the developing countries. The number of least developed countries in the world has grown to 41. The economies of most developing countries are increasingly bogged down in difficulty. Their per capita income is falling. One third of their

people are living under the poverty line. In spite of their enormous efforts to try and solve their own problems and in spite of their achievements, the developing countries have not been able fundamentally to redress their disadvantages. Since their backwardness is the result of an international order that has always stacked the cards against them, it can be changed only by setting up international political relations of a new kind which can in turn improve the economic order, eliminate injustices and irrationalities and gradually remove the handicaps suffered by the developing countries. The developed countries have a special responsibility to take concrete action in respect of debt, finance, trade assistance and transfer of technology to help the developing countries overcome their economic difficulties and, by shrinking instead of enlarging the gap between the North and the South, to attain the objectives of co-development and common prosperity.

31. Yet, it must be pointed out, some developed countries are attaching unreasonable conditions to economic cooperation and trade. They are in fact using economic aid as a political instrument by insisting on a linkage with the so-called "internal human rights situation". Thus, in theory and in practice, they interfere in the internal politics and the socio-economic development of the recipient countries by placing them on an unequal plane and taking away their right to choose their own political, economic and social system. Such interference has met with strong opposition from quite a few developing countries.

D. A stable political and social environment must be created and maintained inside a country in order to foster favourable domestic conditions for development

32. In the process of reform and opening up, China has come to understand from its own experience that a country's socio-economic as well as political and cultural development require a peaceful and stable environment. Only with this can that country concentrate its energy on developing its own economy and building up its democratic and legal systems, which in turn will allow its people to enjoy the fruits of development, as well as greater human rights and fundamental freedoms. Every Government has a responsibility to ensure its internal political and social stability. The events taking place in some countries and regions in the world have demonstrated that political turmoil and social chaos will obstruct the realization of the right to development and bring endless catastrophe to both nations and peoples.

E. Each country has the principal responsibility for elaborating a development strategy adapted to its particular characteristics

33. The Government of a country has the responsibility of devising a development strategy and socio-economic model adapted to that country's characteristics. While perfecting its democracy and rule of law, it should create conditions that will promote the participation of its people in their own economic, cultural and political development.

34. To turn the right to development into reality is a long and difficult task. It requires concerted efforts by all Governments, United Nations agencies and concerned parties.

Côte d'Ivoire

35. Ivorian legislation poses no obstacle to the implementation and application of the Declaration on the Right to Development.

36. Internally, trade union rights and the rights of workers are protected by collective agreements and by the Ivorian Labour Code, article 2 of which prohibits forced labour.

37. It should also be mentioned that Côte d'Ivoire is doing its utmost to provide work for as many people as possible, as is illustrated by the decision of the Council of Ministers, dated 9 March 1994, to establish development funds, investment support funds, promotion funds, etc. Moreover, in conformity with article 2.3 of the International Covenant on Economic, Social and Cultural Rights "non-nationals", large numbers of whom participate in economic life throughout the country, may freely exercise the profession of their choice.

38. Externally, the main obstacle to the implementation of the right to development is the egoism of the most developed countries, as they obstruct the sharing of technology.

Croatia

39. The Republic of Croatia, as a developing country, is aware of the importance of the right to development and firmly supports the Declaration on the Right to Development, paying considerable attention to its provisions.

40. The Republic of Croatia has drafted and passed the legislation by which human rights, especially the rights of minorities, are fully respected without any form of discrimination (national, religious, sex) and which provides for the same opportunities for everyone. Regulations on health care comprise measures stipulated by the Declaration on the Right to Development and especially provide for the rights of women, pregnant women, children and other vulnerable groups. The Republic of Croatia has been making efforts to draw up special programmes for vulnerable groups, especially disabled veterans.

41. However, it should be noted that due to the aggression against the Republic of Croatia, the destruction and the great number of refugees and displaced persons on one hand, as well as the need of the Republic of Croatia as a newly independent State to make the economic transition and provide a free market economy on the other, it has not been possible for the Republic of Croatia to plan its development systematically. It was principally oriented towards creating basic conditions and prerequisites for development. The Republic of Croatia is facing a decline in industrial production which has been caused by, among other things, the collapse and loss of the markets of the former Yugoslavia and of Eastern Europe.

42. The Republic of Croatia, as a peaceful country, has been trying to settle the aggression in a peaceful way, in accordance with the recommendations of the international community and the Declaration on the Right to Development. The Republic of Croatia is aware of the fact that international peace and security are important for the implementation of the right to development.

43. The Government of the Republic of Croatia has adopted and implemented a stabilization programme by which hyperinflation has been successfully curbed. Such control of inflation has enabled the identification of key problems of individual branches of the economy and groups and of ways to solve these problems. In trying to solve economic problems, the Republic of Croatia has decided to use the expert and technical assistance of the United Nations, especially UNDP and UNIDO, for the reconstruction of some industries, such as the iron and steel industry, metal processing, production of aluminium and ferroalloys. The textile industry, agriculture and the food processing industry, the chemical industry, the electrical equipment industry and shipbuilding. The Republic of Croatia is also interested in international industrial cooperation, as well as development of the human resources necessary for effective implementation of the right to development.

44. The Republic of Croatia has defined the most important areas of its economic development, such as tourism (blue orientation), agriculture, especially the production of healthy food (green orientation), reconstruction of traditional production aimed at increasing competitiveness and creating conditions for abandoning some obsolete production processes, as well as adopting and implementing high standards of environmental protection.

45. Special attention is being paid to speeding up the ownership transition and privatization of public companies, mostly State-owned, as well as the promotion of small and medium-sized business in order to speed up the economic transition. Broad participation of the private sector in the development of the Republic of Croatia can be discerned, among other things, from the increase in the number of newly-registered companies - from 17,350 in 1990 to 79,167 in 1993 (index 457). Employment in the private sector increased in the same period as well, from 63,185 to 116,440 employees (index 184).

46. Taking into consideration the importance of creating opportunities for an active, free and effective participation of every individual in the process of development and the just distribution of profits derived from it, the Government of the Republic of Croatia has encouraged the privatization of public companies. According to Croatian Privatization Fund data, out of the total value of enterprises of about DM 20 billion, over 50 per cent became private in the first phase of privatization, while the Croatian Privatization Fund's shares amount to DM 6 billion. In the first phase of privatization special attention was paid to small shareholders (possibility to pay for shares in instalment over five years, 50 per cent discount on the value of the shares, rate of payments in the first and second year of no more than 5 per cent of the total value of shares). Since the Republic of Croatia wants to retain the majority of small shareholders, of whom there are now over 486,000, it is working on amendments to the Privatization Act in order to provide further favourable terms for small shareholders - extension of the payment deadline to 10 years, moratorium on instalment payment in a particular year if the shareholder is not able to pay off the instalment, etc.

47. Pursuant to the provisions of the Declaration on the Right to Development which acknowledge the great importance of international cooperation in the implementation of the right to development, attention is being drawn to the fact that in planning its development and implementation of the right to development, the Republic of Croatia has so far, used the assistance of neither the international community nor the United Nations specialized

agencies for development. Neither has the Republic of Croatia made use of the European Union PHARE Programme nor of financial support from the World Bank and the European Bank for Reconstruction and Development, and it has not concluded a stand-by arrangement with the International Monetary Fund yet.

48. The Republic of Croatia expects considerable assistance from the above-mentioned institutions in development planning and in adopting development policy, as well as financial assistance for the economic transition, construction of roads and the reconstruction of the parts of the country destroyed during the war. The Republic of Croatia believes that the above-mentioned help would considerably strengthen the democratization process and respect for human rights, as well as allowing Croatia to exercise its right to development in accordance with the Declaration on the Right to Development and the Vienna Declaration and Programme of Action.

Fiji

49. The role and function of the right to development as in Fiji can be determined by looking at the various Government policies and programmes relating to development. As outlined in the policies and programmes below, development takes a high priority on the national agenda and covers a wide range from human resource development to socio-economic issues and sectoral policies and strategies.

A. Population policy

50. There are two broad goals relating to population. The first is to limit the rate of population growth to that which is compatible with sustained improvements in standards of living. The second is to equip the population with a satisfactory range of skills for use in the workplace and in society.

51. On the first goal, Government policy is to maintain a population growth rate below 2 per cent per year. Programmes with the greatest potential for reducing fertility have been put in place. The Ministry of Health directs its efforts towards service delivery, while non-governmental organizations (NGOs) assist on the demand creation side through information dissemination, education and communication programmes.

B. Advancement of Fijians in business

52. In 1988 the Interim Government introduced the Nine Point Plan for ethnic Fijian advancement in business. The points are:

- (i) Restructuring and strengthening of the Fijian Affairs Board (FAB);
- (ii) The injection of \$20 million capital into Fijian Holdings Limited (FHL) from the Government via the FAB;
- (iii) Establishment of a unit trust for Fijians;
- (iv) Establishment of a compulsory saving scheme for Fijians;
- (v) Government to grant further concessions under the Commercial Loans to Fijians Scheme administered by the Fiji Development Bank (FDB);

- (vi) Creation of a Management Advisory Services Department in the FDB;
- (vii) Minimum ownership by Fijians of selected resource-based industries;
- (viii) Reserving identified sectors of industrial/commercial activities for Fijians;

C. The alleviation of poverty

53. The Government will work for the eradication of poverty in Fiji through the provision of both immediate relief and long-term sustainable resources. Poverty targeting funds will be channelled through various departments and NGOs to reach those groups in the community who need relief.

54. Government policies towards the alleviation of poverty include:

The Family Assistance Programme (FAS), which in 1994 was increased to \$3.5 million, will be retained as the basic support for the needy;

In housing, there is provision in the 1994 budget for an increased grant of \$0.5 million to HART;

In primary education \$4.8 million for free education for classes 1 to 8;

In rural education, subsidies and grants through local and aid funds to continue to be directed to schools in rural, remote and isolated areas;

Health services for the poor remain fee free, with access to basic services in all parts of the country.

55. Other major efforts to combat poverty on a long-term sustainable basis include the Government's partnership in the equitable and sustainable human development project, which focuses directly on rural communities. Funds available under the small grants scheme (SGS) administered by the Government through different ministry channels assist the poor in self-help efforts, including income-generating projects to achieve long-term improvement in the quality of their lives.

D. Youth in development

56. In recognition of the potential and economic value of the nation's youth, the Government has set up programmes to develop and strengthen such potential so that youths can contribute effectively to social and economic development.

57. Youth programmes give emphasis to promoting, training and assisting youths in agriculture, fisheries and small-scale income generating activities, in an effort to curb urban drift and develop cash incomes at sustainable levels. Such programmes include:

The Rural Youth Programme;

The Urban Youth Programme;

The Youth Employment Options Centre;

National youth training and youth camps; and

Youth enterprise projects.

58. Policies and strategies for the development of youth include:

Promotion of cultural, educational and recreational programmes for youth;

Promotion of career guidance for school leavers so that they can become effective contributors in the economy;

Provision of training to upgrade vocational, leadership and management skills; and

Guidance of young people towards income earnings opportunities.

E. Women in development

59. In recognition of the important contribution of women to the development process, the Government established the Ministry of Women and Culture (DWC) in 1987. The primary function of DWC was to monitor improvements in the status of women and encourage all sectors, both public and private, to address the needs of women in their policies and programmes.

60. Between 1988 and 1991 a total of 161 community projects were implemented through DWC. In the same period, DWC organized training programmes throughout the country. Major areas of training included family education, health-related issues, food and nutrition, income-generating development and management topics.

61. NGOs play a complementary role in identifying and addressing women's concerns. Their inclusion in the existing decision-making institutional framework is a clear recognition of the important role they play in advocacy.

62. The Government will continue to give recognition to the merits of women, and the contribution they can make to national development. As such, the Government will assign 50 per cent of representation, participation, training, appointments and promotions at all levels of government to women with merit and as appropriate, and encourage the same in the private sector. Resources will be allocated to enhance the status and quality of life of women, and in particular to ensure that:

Women as agents and beneficiaries of development are fully integrated in policy formulation, planning, decision-making and implementation;

Women have equal rights, obligations and opportunities with men in all fields and at all levels of development;

Women are empowered to facilitate the improvement of their political, social and economic status, which is vital for self reliance and is the cornerstone of sustainable development.

63. The Government will ratify the Convention on the Elimination of All Forms of Discrimination against Women. The Government actively supports efforts by

women's NGOs to publicize the terms of the Convention and to enable women to understand its implications for them, through national legal literacy programmes.

F. Education sector

64. The Fiji population is well educated with virtually universal access to primary and lower secondary education. Some access problems remain in rural and poor urban areas. There is also scope for substantial improvement in technical and vocational education.

65. The Government is firmly committed to providing basic education in keeping with the World Declaration on Education for All. Education is an indispensable key to personal and social development and therefore the Government will continue to recognize its importance to the community through the appropriate allocation of the resources to promote and provide good quality education for all.

66. The development strategy includes:

(a) Improve the academic performance of ethnic Fijians with the Government providing more scholarships and better education facilities;

(b) Make 12 years of education accessible to all;

(c) Provide education free from class 1 to 4 to reduce the high drop-out rate at these levels. In the 1994 budget, the Government increased the per capita grant for tuition fees in all primary schools from \$12 to \$30 in schools of more than 150 people.

67. Focus in the years ahead will be on phasing in compulsory education measures to ensure the attainment of the goal of primary education for all by the year 2000. As pre-school and primary education are seen to have a direct relationship to secondary and tertiary education, consideration will be given to improving the quality of teachers and types of courses offered. Form 7 education will be consolidated further either through improving the quality of courses in existing schools or by centralizing its strategic centres.

Family life education

68. The Ministry of Education recognizes the need to help students understand and cope with the social problems and moral dilemmas they face as young people growing up in our modern world. The Family Life Education Programme has been introduced into schools to help students gain knowledge, skills and positive attitudes to make wise decisions pertaining to their own sexuality and their social and moral responsibilities as individuals and members of groups.

Rural schools

69. Positive measures will continue to be taken to reduce the disparities between rural and urban schools by improving teacher quality, curriculum resources and upgrading student assessment and evaluation.

Vocational training in schools

70. New directions in school-based agro/technical/vocational education will be developed through the diversification of school-based programmes linked to national tertiary institutions.

71. A major investment programme is being developed with the assistance of the World Bank to achieve a range of goals in this sector. The Ministry of Education will recognize and strengthen its planning and management capabilities to carry out this major vocational and technical education investment programme.

G. Health sector

72. Policies and strategies for the development of the health sector are:

(a) Primary health services:

Provide preventive and primary health care, clinical and rehabilitative facilities with adequate manpower resources to meet national needs;

Encourage involvement of local communities in health care;

Ensure attainment of a population growth rate which is conducive to better standards of living;

Efforts will especially focus on maternal and child health, immunization, good nutrition, and adequate water supplies and sanitation;

(b) Curative services:

Promote inputs in health standards throughout the country;

Provide efficient and effective health services, with special attention to those in depressed and rural areas;

(c) Human resource development

Upgrade and strengthen training institutions in an effort to provide a well-trained and highly skilled workforce;

Review the organization of health service delivery to improve efficiency and provide effective incentives.

Access to health services

73. Access will be improved not only through extending and strengthening of all health facilities, but also by providing full and relevant information to all communities on current health services and improving transport so that health workers can more easily and frequently visit local, and especially rural, communities.

H. Rural development

74. Nearly 70 per cent of the population resides in rural areas of the country. To raise the general standards of living of the rural people the policies and strategies in this sector include:

Improve the effectiveness of local administration;

Promote private sector investment in rural areas;

Provide supporting infrastructure for commercial development;

Maintain effective social services in rural areas, particularly health, education and basic need services;

Develop transport systems taking account of the requirements of the rural areas;

Encourage the participation of rural people in projects that affect them, particularly through NGOs.

Finland

THE RIGHT TO DEVELOPMENT IN FINLAND

75. The right to development means, above all, the right for individuals, groups and peoples to take an active part in the development process and to enjoy the fruits of development, in an equitable and just way. The right has a strong internal dimension, applying in the relation between the people and its State and Government, but also an international dimension.

76. The Government of Finland supports the principles concerning the right to development, and the recognition of interdependence between democracy, development and human rights, adopted by the World Conference on Human Rights at Vienna in 1993.

77. In Finland, the right to development has been primarily implemented, through the broad spectrum of human rights contained in international treaties binding on Finland and incorporated into the Finnish domestic legal system. These rights include, but are not limited to, the right of the Finnish people to self-determination (rights to a democratic system, control over natural resources, etc.), individual political rights and freedoms, respect for the rule of law, and economic, social and cultural rights.

78. Finland is reporting on the implementation of these treaties to the relevant treaty bodies. Enclosed is the latest report submitted under the 1979 Convention on the Elimination of all Forms of Discrimination against Women. 1/ A new report on the International Covenant on Civil and Political

1/ This report is available in the secretariat for consultation by members of the Working Group.

Rights, and on the International Covenant on Economic, Social and Cultural Rights will be submitted soon and also put at the disposal of the Working Group on the Right to Development.

DEVELOPMENT COOPERATION POLICIES

79. In international development cooperation also, promotion of the right to development covers the entire spectrum of factors in the development process. It requires both effective national development policies and respective supportive measures at the international level. Finland stresses the importance of this dualistic approach in the implementation of the right to development.

80. The overall objective of Finnish development cooperation is to assist the developing countries in their own efforts to enhance the sustainable political, economic and social development. From the human rights perspective, that means assistance to the developing countries in the implementation of all human rights, including the right to development.

DEVELOPMENT AID STRATEGY

81. The Government of Finland has recently approved a new Development Aid Strategy. It defines the major development objectives. It also defines the respective roles of Finland and the recipient countries in the development process.

82. Alleviation of widespread poverty, protection of the environment, and the promotion of human rights and democracy are priorities. They are interdependent and mutually reinforcing objectives. Poverty is a major cause and effect of environmental degradation in the developing countries. Human rights and democracy are the prerequisites for good governance, political accountability, the rule of law, politics of inclusion and participation, all basic elements of development in any society.

83. Development can be sustainable only when it is, and remains, primarily the responsibility of each country itself. That applies to the political and economic environment, which must be conducive to economic growth and its equitable distribution in society, development of human resources and institutional capacities, and empowerment of poor people to materialize their development potential. Those policies, to be effective and sustainable, can only be home-grown, based on development-conscious policies and political will and commitment.

84. International cooperation to create a favourable international environment and mobilize increasing resources to support those national policies is also necessary. It can, however, only complement the efforts of each country, not replace them.

85. Widespread poverty is the major obstacle to the right to development in many countries. The poor are not able to participate and make their contribution in the development process. They are not able to satisfy their daily basic needs, they do not have access to basic educational and health services.

86. Above all, they do not have access to the financial, commercial and other services and infrastructure they need in order to exercise their will and potential for development, by their own labour. Finland will focus upon those areas and, in order to make our contribution effective, the recipient countries are presumed to do the same.

87. Degradation of the environment threatens the basis of development in large areas of the world. The right to development of any country of the world requires a viable environment at the national and international level.

88. Development aid for the promotion of human rights, democratic and accountable good governance, participatory development, is a third area, where Finland assists the developing countries to create a political environment at a national level which is conducive to the implementation of the right to development. Support to the various institutions and processes of a democratic society, like elections, the media and the rule of law are important. Support to non-governmental organizations of various types aims at enhancing a democratic culture and the elements of civil society.

89. Finland stresses efforts to tackle population growth, which undermines the efforts to alleviate poverty and to protect the environment. Coordinated efforts at the national and the international level to break the vicious circle of poverty, population growth and degradation of the environment are the core of global policies in the implementation of the right to development.

90. For national policies and international development cooperation to have their maximum effect on the efforts to implement the right to development, a comprehensive strategy is needed. Finland is assessing ways and means to increase coherence in its aid, trade, financing, investment and other relevant policies in respect of the developing countries, in order to make these policies mutually reinforcing and supportive of the right to development.

Germany 2/

91. In the Final Document of the World Conference on Human Rights of 9 June 1993 the right to development is described as a universal and inalienable right whose central subject is the human person (sect. I.10). In

2/ The Government of Germany also submitted the following documents from the Federal Ministry for Economic Cooperation:

- (a) "Good Governance", Democracy and Development Paradigms, 1992;
- (b) "New Policy Criteria of the Federal Ministry for Economic Cooperation", Statement by Karl-Dieter Spranger, Federal Minister for Economic Cooperation to the "Bundespressekonferenz", 1991;
- (c) "The Main Elements of Poverty Reduction", 1992;
- (d) Cross-Sectoral Concept: Fighting Poverty through Self-Help, 1990.

These documents are available in the secretariat for consultation by members of the Working Group.

the Federal Republic of Germany, the individual's right to development, in so far as it is regarded as a right to protection from the State, is safeguarded by the basic rights. Furthermore, it follows from the constitutional precept of the social State that the State has an obligation to create the prerequisites for a just social order, which implies, among other things, that each individual can exercise his or her right to development. However, this, in principle, does not mean that each individual has a concrete right to certain State benefits. The right to development is thus more of an indicator of the direction in which national and international progress should be made.

92. The goal of development is to extend the scope for independent human action. The development process encompasses economic, social, cultural and political components and is aimed at improving the well-being of the population on the basis of their active and free participation.

93. Its own efforts to realize the right to development are both the right and duty of every sovereign State. In this respect, the granting of human rights and fundamental freedoms is an indispensable basis which makes possible participation in the economic and social development process. The aim of this policy should be the improvement of people's economic and social situation, particularly that of poor sections of the population. The priority of this policy is structural reform. Self-help and participation are basic principles. This approach is in keeping with the objective of "human development" which has been given greater prominence in international discussion as a result of the development programme of the United Nations, as well as with the "new development partnership" agreed upon at UNCTAD VIII. Respect for human rights as such has thus become an important development aim.

94. Apart from the State's own responsibility, the international framework is also important. The Federal Government advocates an improved international framework for development. This includes debt relief and remission and well-directed development cooperation, as well as eliminating protectionism and subsidies.

95. A number of developing countries have achieved considerable economic growth and a reduction in poverty through well-directed policies. However, there are obstacles to development in many countries. Overcoming them can be aided by supporting reforms. This presupposes the creation of an economic order which is both liberal and socially-oriented, and access to markets. Examples of a policy of this kind are: creation of basic democratic structures; legal certainty (rule of law, good governance); elimination of unequal treatment of the sexes; improved basic education and health for all sections of the population; safeguarded land use rights; preservation of the natural basis for existence; responsible population policies; stable monetary and fiscal policy; reduction in subsidies as well as internal and external protectionism; structural adjustment and growth, supported by the development of appropriate social security systems (also an objective pursued by the World Summit for Social Development).

96. Popular participation in public affairs is an important prerequisite for sustainable economic and social development. A developed pluralist society can thus only evolve where human rights are respected, democracy prevails and a liberal social State based on the rule of law has been created.

97. The form and extent of German development cooperation aimed at helping to realize the right to development are therefore largely oriented towards the efforts of partner countries and their endeavours to achieve human rights, popular participation, the rule of law, a competitive economy and improvements in the situation of the people at large. Helping to reduce poverty and preserve the natural basis for existence, and education are the main focus of German development cooperation. In order to achieve these aims, all industrialized nations should grant more support to those developing countries in particular which, for their part, have endeavoured the most to improve the situation of their peoples.

Kazakhstan

98. The Government of Kazakhstan informed the Working Group that the Republic of Kazakhstan is not party to the Declaration on the Right to Development.

Libyan Arab Jamahiriya

I. OBSTACLES IMPEDING IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

A. Concerning education, young people and scientific research

99. Libyan Arab students are barred from pursuing the study of various specializations in advanced science at educational institutions that offer those specializations in the developed countries, which is discriminatory and a violation of human rights, as well as an infringement of the Declaration on the Right to Development and its preamble, in which the General Assembly stresses that equal opportunity of development is a right of both nations and individuals alike.

100. The Jamahiriya is barred from importing the technology required for successful development in industry, agriculture and science due to the ban on importing various supplies, pieces of equipment, means of transport and spare parts. All efforts made by the Jamahiriya in that respect are hindered on the pretext that such technology will be used for improper purposes. That bar is also an infringement of the preamble.

101. The large Powers are determined to impose their cultures and languages by using the domination and superiority of their news agency and satellite broadcasting media, as well as their high technical and technological capabilities, which are unavailable to small peoples. For that same purpose, they also use cultural systems, such as those of the anglophone and francophone cultures, which make firm endeavours to absorb and contain national cultures and languages. Such conduct breaches the provisions of the International Covenant on Economic, Social and Cultural Rights referred to in the preamble of the Declaration on the Right to Development, as well as article 6, paragraph 2, of the Declaration.

B. Concerning society as a whole in the Jamahiriya

102. The large Powers commit hostile acts aimed at the right of the Libyan people to self-determination provided for under article 1, paragraph 1, of the Declaration by attempting to impose a political system that serves their own

purposes and interests. They have openly embraced forces opposed to the Jamahiri ("masses") system, which the Libyan people chose, entirely willingly, as their political system.

103. The sovereignty of the Libyan people over its oil resources is also constantly threatened by those large Powers, whose tactics include banning the import of equipment used in the Libyan oilfields and restricting the free movement and flow of Libyan oil revenues in international banks, which is a breach of article 1, paragraph 2, of the Declaration. Implementation of the Declaration on the Right to Development in the Jamahiriya is continually hampered by the aggression and threat of aggression against it on the part of the large Powers, which follow such practices simply because the Jamahiriya applied the Charter of the United Nations, regained sovereignty over its territory and closed down their military bases. The military activity of the United States Sixth Fleet, both at sea and in the air, to which Libyan territorial waters in the Gulf of Sirte were subjected in the early and mid-1980s is an example of those threats and acts of aggression. A further example is the raids by the United States to which the civilian inhabitants of Tripoli and Benghazi were subjected in 1986. Such actions constitute a violation of article 5 of the Declaration on the Right to Development, and efforts for development have been adversely affected as a result.

104. Implementation of the Declaration on the Right to Development proclaimed by the General Assembly is constantly impeded by the damaging and lasting effects of the First and Second World Wars, and in particular by the minefields, scattered throughout most regions of the Jamahiriya, which perpetually endanger the lives of thousands of inhabitants and limit the use of land for agriculture, grazing and other purposes. The Jamahiriya has made intensive efforts to overcome this problem, and has requested the States concerned to supply it with maps of the minefields and to provide assistance in clearing them. That request was supported by the Organization of the Islamic Conference, the Conference of the Non-Aligned Movement and the General Assembly of the United Nations. It has also expressed its legitimate right to seek compensation for war damages. However, the intransigence of both former and modern imperialistic States continues to form a permanent obstacle to the right of Libyans to development.

105. Owing to its refusal to abandon the rights of the Arab Palestinian people to return to their land, the Libyan Arab people is under constant threat from the Zionist entity in occupied Palestine. The two Arab peoples, together with all Arab peoples, are united by a single form of nationalism, that is to say, Arab nationalism. Long ago, during the cold war, the Jamahiriya advocated disarmament of the Mediterranean and called for it to be declared a lake of peace. As always, it also continues to call for disarmament and the destruction of all weapons and stockpiles worldwide, pursuant to and in response to article 7 of the Declaration on the Right to Development. Meanwhile, the Zionist entity, amid silence from the large Powers, refuses to sign the Treaty on the Non-Proliferation of Nuclear Weapons and is developing missiles with a range that extends as far as Libyan territory. This ongoing threat is a hindrance to development efforts and the Jamahiriya, which lives under that threat, finds itself obliged to weigh all possibilities.

II. RECOMMENDATIONS AND PROPOSALS ON WAYS AND MEANS TOWARDS
IMPLEMENTING THE DECLARATION ON THE RIGHT TO DEVELOPMENT

106. The Working Group should note that the problems of development are faced primarily by the South, and not by the North. Consequently, at least two thirds of the members of that Group should be from the small developing countries, so that the Group may reach conclusions and solutions that help to further the right to development. The Working Group should comprise two members who represent the Arab Group: one from Western Asia and the other from North Africa, as long as geographical considerations play a part in its composition.

107. The Working Group should draw up a set programme during the period permitted for its work, which, according to paragraph 10, is three years. The programme should comprise detailed studies of the obstacles to development in every region of the world, and of the effects on the development process of political, party, ethnic, factional, tribal and class conflicts.

108. A geographical record should be produced listing instances of:

- (a) The occupation by force of territories belonging to others;
- (b) Threats of aggression;
- (c) Discrimination on the basis of customs, religion, colour or race;
- (d) The violation of the fundamental freedoms of peoples, individuals and humanity in general;
- (e) Acts that violate the national sovereignty of States and peoples;
- (f) The monopoly of knowledge.

109. Those instances should be recorded and published in a periodic report issued by the Group and directed at world public opinion, since they all constitute a threat to implementation of the Declaration on the Right to Development. The report should serve as a reliable reference for the General Assembly of the United Nations, which issued the Declaration, and for all bodies, councils and organizations attached to the United Nations. It should also serve as a reliable gauge for assessing the conduct and commitment of every State which is a member of those organizations.

Madagascar

1. The status of the right to development in policies and programmes

110. Madagascar's national development policies and programmes pursue the common aim of improving the well-being of the population as a whole so as to ensure that everyone enjoys individual integrity and dignity and full physical, intellectual and moral development. Madagascar recognizes that man is both the active participant and beneficiary of the right to development. The Republic of Madagascar thus subscribes to the Declaration on the Right to Development.

2. Measures adopted and obstacles encountered

111. The measures introduced are directed at eliminating every type of obstacle to development and to the active participation of the population as a whole, while observing human rights and fundamental freedoms.

112. Generally speaking, United Nations declarations are publicized throughout all of Madagascar's institutions. The language employed is French. Lack of resources prevents the Government from publicizing them widely throughout the population.

113. Impediments to the realization of the right to development derive from Madagascar's difficult economic situation and from the limited resources available to the State to create favourable conditions for development. Realization of the right to development requires international assistance and coordinated support for national development programmes.

4. Community and private participation

114. The Republic of Madagascar has a liberal economy, which signifies that both the private sector and cooperative partnerships play an active role. Non-governmental organizations contribute to the implementation of national development programmes. The role of grass roots participation in ensuring the right to development resides in its active participation in productive activities, within the framework of the rule of law and respect for fundamental freedoms.

5. Specific policies and programmes

115. A programme of action for social revival has just been adopted in Madagascar. It provides an overall framework of activities, projects and programmes to achieve economic and social development on behalf of the population as a whole, and of women, children and vulnerable groups in particular.

6. Specialized institutions

116. All Madagascar's institutions contribute to attaining the objective of improving the population's well-being. Economic and social services have particular responsibility for overseeing measures to achieve economic and social revival.

7. Cooperation for development

117. The right to development, as expressed in the Declaration on the Right to Development, is an important element in the planning, implementation and assessment of cooperation programmes and projects for development.

118. The economies of the developing countries are in transition and subject to the vicissitudes of structural adjustment programmes. There must be synergy between measures so that social and environmental considerations may be taken into account within the framework of the various international and regional programmes in support of national development programmes.

Mauritius

119. The Government of Mauritius informed the Working Group that the Constitution of Mauritius guarantees fundamental freedoms and rights including the right to development which encompasses, inter alia, the promotion and protection of civil, political, economic, social and cultural rights.

Myanmar

120. In resolution 1993/22 adopted by the Commission on Human Rights on 4 March 1993, entitled "The right to development", it was recognized in paragraph 3 that "the biggest obstacles to the realization of the right to development lie at the international macroeconomic level". We fully share this view and consider the following factors as major obstacles to the realization of the right to development:

- (a) Growing unilateralism and protectionism;
- (b) Insufficient access to markets of developed countries;
- (c) Deteriorating terms of trade of developing countries;
- (d) Severe debt problems of least developed and other developing countries;
- (e) Stagnating official development assistance (ODA) flows;
- (f) Imposition of non-economic conditionalities by donor Governments and international organizations/institutions;
- (g) Inadequate transfer of technology.

121. The State Law and Order Restoration Council Government, since assuming State responsibilities in 1988, has been taking all necessary measures for the realization of the right to development in accordance with article 8 of the Declaration, ensuring equality of opportunity for all national races of the Union in their access to basic resources, education, health services, food, housing, employment and fair distribution of income. Furthermore, appropriate economic and social reforms have also been made to accelerate the economic development of the country.

122. However, the Government's efforts have been hindered owing to suspension by the donor countries of the much needed bilateral assistance and also obstacles encountered in obtaining financial assistance from multilateral institutions like the World Bank and the International Monetary Fund. In implementing its development programmes, the Myanmar Government is therefore forced to rely mainly on her own resources. At the present moment, the United Nations Development Programme remains the only major source of multilateral cooperation in this regard.

123. We therefore wish to take this opportunity to call upon all major donor countries, financial institutions and concerned United Nations agencies to cooperate fully with all developing countries by providing these countries

with appropriate means and facilities to foster their comprehensive development, as called for in article 4, paragraph 2 of the Declaration on the Right to Development.

Yugoslavia

124. The Government of the Federal Republic of Yugoslavia wishes to draw attention to the obstacles it encounters in the implementation of the Declaration on the Right to Development adopted by the United Nations General Assembly on 4 December 1986.

125. In this way, the Government of the Federal Republic of Yugoslavia wishes to render its contribution to a comprehensive assessment of the obstacles in the implementation of the right to development both at home and abroad, guided by the fact 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" (art. 1 of the Declaration).

Constitution, policy and development programmes of the Federal Republic of Yugoslavia

126. The Constitution of the Federal Republic of Yugoslavia, as the highest legal document of the common State of Serbia and Montenegro, stipulates that the Federal Republic of Yugoslavia is a sovereign federal State, based on the equality of citizens and the equality of its constituent Republics (art. 1). It goes on to say that freedoms and rights of man and citizen are restricted by equal freedoms and rights of others (art. 9) and that the Federal Republic of Yugoslavia recognizes and guarantees the freedoms and rights of man and citizen recognized by international law (art. 10). The freedoms and rights of man and citizen are exercised and their duties fulfilled in accordance with the Constitution. The law may prescribe the manner of exercise of some freedoms and rights of man and citizen when so provided for by the Constitution or when required for their exercise (art. 67). The economic development of the Federal Republic of Yugoslavia, scientific and technological development, regional development and the narrowing of differences in the level of development of individual regions fall within the competence of the Federal Republic of Yugoslavia (art. 77).

127. The said provisions of the Constitution of the Federal Republic of Yugoslavia are a clear indication that all the legal preconditions exist for the implementation of the basic principles of the Declaration on the Right to Development.

128. Although the Declaration itself is not incorporated in any national legal act, its spirit is reflected in both federal and republican documents on development policies in the social and economic spheres in the following manner:

(a) Through the goals and measures in the field of regional development and the basic orientation towards creating equal conditions for development in the entire territory of the country by encouraging accelerated development of underdeveloped regions;

(b) Through the goals and measures in the field of social policy and development and by according the same treatment to all population groups (ethnic, religious, racial, sex and age);

(c) Through the same treatment of various sectors of property in tax, credit and other policies;

(d) Through the goals and measures established by the policy for the protection of the environment in the Federal Republic of Yugoslavia, as well as through the established economic instruments for sustainable growth.

129. Development issues at the national level fall within the competence of the Federal Ministry of Science, Technology and Development - Centre for Development and Economic Policies and at the republican level, the Republican Administration for Development in the Republic of Serbia and the Secretariat for the Development of Montenegro in the Republic of Montenegro.

Obstacles to the right to development

130. Although legally enacted and institutionalized, both at the federal and republican levels, the implementation of the right to development in the Federal Republic of Yugoslavia has been thwarted in the past several years as the international environment has provided an absolute obstacle to development.

131. Yugoslavia, one of the leading countries of Central and Eastern Europe, by the extent of its economic growth rate and of its introduction of social and economic reforms since the Second World War, particularly in the 1980s, found itself at the beginning of the current decade in a situation in which its further social and economic development came to a halt.

132. Chronologically, this situation was brought about by the unconstitutional secession of four former republics of the Socialist Federal Republic of Yugoslavia and their hasty recognition by the international community, the civil war in former Bosnia-Herzegovina, which affected a large number of its inhabitants of Serb origin living in this territory, and the subsequent introduction of the unjust and unfair sanctions against the Federal Republic of Yugoslavia by the international community on 31 May 1992, in accordance with United Nations Security Council resolutions.

133. The secession of the former republics of the Socialist Federal Republic of Yugoslavia and the outbreak of war conflicts accounted for the closing down of markets, the suspension of the foreign exchange and monetary transactions and the erection of physical barriers to the flow of goods and services between the former republics of the Socialist Federal Republic of Yugoslavia, which was followed by the breakdown of the entire infrastructure of the country.

134. As a result of such developments, GNP fell as early as 1991, from US\$ 26,590 million in 1990 to only US\$ 23,665 million, or by 8.2 per cent, and industrial production fell by 18 per cent.

135. The adoption and implementation of resolution 757/1992 and 787/1992 by the United Nations Security Council, and in particular the imposition of their tighter implementation by the adoption of resolution 820/1993, exacerbated these negative trends.

136. Industrial production in 1992 compared to the previous year fell by 21.2 per cent and agricultural production by 18 per cent, and this trend continued in 1993 at the rates of 37.3 per cent and 7.2 per cent respectively. The aggregate indicator of economic trends shows that the GNP in 1992 fell by 26 per cent compared to 1991 and it is estimated that in 1993 it fell further by about 30 per cent. The per capita GNP fell from US\$ 3,000 in 1991 to only several hundred United States dollars.

137. It is estimated that under normal conditions the 1990 GNP could have been realized in the 1991-1994 period in the amount of US\$ 26.6 billion per year. With the assumption of the 1990 annual growth rate of 4.1 per cent, it will not however be possible to achieve this GNP before 2011.

138. The greatest part of the calculable damage accounts for the unrealized real GNP, plus losses caused by the unrealized net inflow from transactions in invisibles with foreign countries and additional losses accrued on account of dole disbursements and refugee accommodation costs. The losses in the 1991-1994 period are estimated at about US\$ 45 billion and in the 1995-2011 period at over US\$ 100 billion, the cumulative losses for the 1991-2011 period being estimated at about US\$ 150 billion.

139. The incalculable but certainly enormous damage caused by the disintegration of the Socialist Federal Republic of Yugoslavia and the international economic embargo and sanctions, also includes the losses from Yugoslavia's elimination from foreign markets and the costs yet to be paid for its return, as well as from the freezing of its assets and property abroad.

140. From mid-1991 to mid-1993 the number of employed fell by about 10 per cent. Besides, a large number of those who still have an employment are practically idle due to the shortage of raw materials, intermediaries and fuel, and instead of supporting themselves by their wages they are forced to live on the dole.

141. Average net wages, over US\$ 200 in 1991, fell to US\$ 80 in 1992 and to only somewhat over US\$ 30 in 1993. At the beginning of 1994, average net wages amounted to only 26 dinars (1 dinar = 1 DM).

142. A drastic fall in revenues has seriously affected pensions, disability pensions, welfare disbursements, child allowances and subsidies to institutions of social care.

143. The health situation deteriorated rapidly after the imposition of sanctions. It continues to deteriorate with each passing day, with disastrous consequences, particularly for the most vulnerable segments of the population (children, pregnant women, the old and ailing, refugees).

144. After several years of declining economic trends, Yugoslavia's infant mortality rate has begun to rise, even in those parts of the country where the mortality rate was at the level of medium-developed countries.

145. The number of deaths caused by contagious and all chronic non-contagious (cardiovascular, respiratory), as well as cancerous diseases has increased owing to very limited possibilities for early detection and adequate treatment. In 1993, 2,680 more persons died of cancer in the Federal Republic of Yugoslavia than would have in normal circumstances. The number of diagnostic procedures was reduced by 90 per cent, the number of outpatient medical examinations by 50 per cent and the number of surgical interventions, still the most effective way of treatment, was reduced by 75 per cent.

146. The number of examinations and operations on children fell by 92 per cent, while post-operative infections increased by 30 per cent compared to previous years.

147. By imposing sanctions also in the field of health, the international community has trampled upon the best medical traditions and countless provisions of international humanitarian law, including the 1989 resolution of the World Health Organization which explicitly prohibits the use of medical embargoes for political ends.

148. The population is suffering from malnutrition. The protein percentage in the diet has been reduced by more than 40 per cent, which affects children and the younger generation, in particular.

149. In 1993 alone, almost 600 highly educated professionals left Yugoslavia. Most of them are young people aged between 21 and 44.

150. The implementation of the measures of the economic embargo and isolation has had a negative bearing on the possibility of preserving the principle of social justice. The sanctions have had the most devastating effect on the poorest and most vulnerable segments of the population, to whom basic health protection is becoming increasingly unavailable.

151. Unlike the majority of the population who strive to make ends meet, and despite government measures, a relatively small group of people has parlayed the measures of the international economic isolation to their own advantage and by smuggling, corruption, profiteering and by all sorts of other shady activities has managed to accrue considerable wealth and gain social status and influence. This has had a very negative bearing on the overall moral climate of society and undermines the principle of social justice, one of the basic principles of democracy.

Issues before the Working Group on the Right to Development

152. The Federal Republic of Yugoslavia, like other countries on which international sanctions have been imposed, has to deal with many questions related to the provisions and implementation of the Declaration on the Right to Development. It has to provide a proper answer as to:

(a) How to participate in the efforts of the international community aimed at finding solutions to problems of economic and social development and in the solution of accumulated global problems of the environment, when it is

denied the right to participate in the work of international organizations and forums and in the realization of the documents adopted within the United Nations;

(b) How to ensure, in the conditions of sanctions, non-inflationary and stable growth, and ensuing social progress, and to fight poverty, introduce democracy or deal with an ever greater number of environmental challenges, all of these being the principal premises of the right to development as a basic human right;

(c) How to service foreign debts and regain financial credibility when its assets remain frozen and foreign exchange, monetary, trade and other transactions with foreign countries are suspended;

(d) How to make up for an ever greater stagnation in development and its consequences for many generations of the innocent population; and finally

(e) How to avoid the marginalization of an entire people which is denied not only its basic human rights, but also, indirectly, the right to life itself.

153. Recourse to sanctions and their indiscriminate imposition and maintenance are increasingly becoming an ever more frequent feature of international relations. Despite the fact that no goal for which they have been imposed has been achieved so far, there is a real danger that they might be turned into an extremely inadequate instrument in the current process of the establishment of a new world order, with very negative consequences for peace, development, democracy, humanitarian and other goals the international community has set out to attain, all the more so as their devastating effects hardly differ from the consequences of war conflicts.

154. The effects of sanctions affect not only individual peoples and countries, but also indirectly the economic, political and social development of entire regions. Moreover, they have a boomerang effect on the international community, which has to muster ever greater financial resources to offset its consequences.

155. The international community would be ill advised to turn a blind eye to the consequences of collective punishments of an entire people by way of an open violation of the basic rules of international law.

156. Proceeding from the aforementioned, the Government of the Federal Republic of Yugoslavia expects the Working Group on the Right to Development to devote special attention to the problem of international sanctions as one of the biggest obstacles to the economic, social, scientific, technological and cultural development of peoples, all the more so as they are most frequently imposed to achieve very vague goals and their only victims are developing countries.

Zimbabwe

What status has the right to development, including the Declaration on the Right to Development, been given in the national development programmes and policies?

157. Chapter III of the Constitution of Zimbabwe declares the fundamental freedoms of every citizen and clearly spells out the status given to the individual rights of all people of the country. This is contained in paragraphs 11 to 26 of the Constitution.

158. These rights are further crystallized in the development policy of Zimbabwe, whose fundamental goal is the improvement of the quality of life of all Zimbabweans. The development programmes undertaken by the Government, as enunciated in the Transitional National Development Plan, the First Five-Year National Development Plan and the Second Five-Year National Development Plan, clearly indicate that the country gives the highest priority to the development of all people of Zimbabwe, which is the goal of all developmental activities in the country. In this endeavour, the grass roots are expected to participate in the decision-making process as they are the implementors of these programmes. The Second Five-Year National Development Plan envisages the Government as the facilitator of development activities in the country by creating an enabling environment and the private sector as spearheading these activities.

159. Currently the Land Tenure Commission is carrying out an inquiry into an appropriate land tenure system through public hearings all over the country, which amply demonstrates the extent to which the populace is consulted and takes an active part in the development of the country. This will go a long way in ensuring popular participation in the setting-up of the appropriate land tenure system for the country. Parliament has always represented the wishes and aspirations of the people in all the different aspects of life in the country, particularly in the enactment of laws and by-laws which enhance the status of the common man in civil society. Furthermore the people's views have been sought through the media and other means of mass communication using all the major languages of Zimbabwe. It is important to note that several provincial newspapers are published in some of the local languages in the country, thus enabling wider participation of the people in national issues.

160. Several obstacles have been encountered in the implementation of and realization of the Declaration. These include unequal distribution of wealth, particularly land and financial resources, that has tended to reduce the level of people's participation in the process of development and ultimately has contributed to the non-realization of the Declaration.

161. Of special note is the fact that about 4 per cent of the population own about 94 per cent of the arable land in the country. With the population growing at the rate of 3.1 per cent, this has increased pressure on land and created a sorry state of homelessness and poverty. However, measures are being put in place to correct this anomaly. The Government, in a bid to correct this state of affairs, has resettled about 52,000 families. However, a lot still needs to be done in this area. Lack of financial resources has greatly hampered these efforts. On the other hand, the business sector is heavily dominated by foreign companies, with the majority of people mainly

engaged as workers or in the informal sector. This has hampered the full participation of the people in the development process.

162. The opening up of the economy, through the Economic Reform Programme, has also contributed to the further marginalization of the people as a lot of companies had to shed labour or even fold up operations because of competition, leaving many people with no source of livelihood and thus negating their right to development.

163. Regardless of these constraints, efforts have been made to ameliorate the situation. As already mentioned above, the Land Tenure Commission is carrying out public hearings which it is hoped will come up with an appropriate land tenure system which will address the imbalances of land ownership in the country.

164. The Government has adopted a policy on the indigenization of the economy, which seeks to empower the indigenous people so that they can fully participate in the development of the country. In addition, measures to support small to medium-size enterprises have been put in place which will assist in the development of such enterprises. Hand in hand with this, the Government has increased the capital base of the Small Enterprise Development Corporation, which is charged with financing small business enterprises. The Government has also made available a 400-million-dollar loan to finance small business enterprises. All these efforts, it is hoped, will assist in the creation of employment and the generation of more wealth for the nation.

165. Several projects for the youth are under way as a means of ensuring fuller participation of the youth in the economy.

166. The Department of Women's Affairs is in place in the Ministry of National Affairs and its mandate is the advancement and empowerment of women. In order to improve the status of women, the following relevant areas have been identified: the legal framework, education, health and employment opportunities. Of significance is the introduction of the Legal Age of Majority Act, and the Matrimonial Causes Act by the Zimbabwe Government.

167. Zimbabwe currently operates under a dual system in which customary law operates side by side with the general law. Over the past 13 years a number of customary laws have been changed to improve the status of women and to bring these laws in tandem with modern changes in society. This has gone a long way in the realization of the Declaration on the Right to Development.

168. In its bid to reduce youth unemployment, the Government has emphasized education with production, aimed at educating the youth in specific fields which would enable them to engage in self-help activities, thereby reducing over-reliance on formal employment.

169. Development planning has been put in the forefront with the establishment of the National Economic Planning Commission whose mandate is to spearhead development programmes throughout the country. In carrying out its functions, the Planning Commission has worked closely with all sector ministries, as well as provincial development committees, rural district councils, ward committees

and village development committees. The village development committees play a very significant role in that they express the wishes and endeavours of people at the grass roots level.

Development cooperation

170. The planning process of the country takes cognizance of the people who are to benefit from the conceived development projects and programmes. It therefore tries to involve the implementors from the outset, i.e. from the identification of needs to the implementation of the projects. It tries to involve them throughout the whole planning process and programme project cycle, since the ultimate aim of development planning is the improvement of the standard of living and quality of life of the people. In doing so it takes cognizance of the concerns of the donor agencies and United Nations agencies, as well as the Bretton Woods institutions. It must be mentioned, however, that Zimbabwe upholds its right as a sovereign State to determine its development policies and programmes. This is being resisted by the Bretton Woods institutions, which constantly give loans/aid with conditions that have often led to untold suffering of the very people who are supposed to benefit. This is clearly seen in the economic reform programme being implemented, which sometimes conflicts with the aims and aspirations of the people.

171. There is a need to give an enhanced role to the Declaration on the Right to Development as far as the right of nations to determine their national policies and programmes for development is concerned. The donor community must take cognizance of the right of each State to determine its destiny by not overemphasizing as conditions for development assistance insignificant human rights issues which often negate in some cases the more fundamental human rights, such as the right to education, food, shelter and to earn a livelihood.

- - - - -