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COMMISSION ON HUMAN RIGHTS
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Agenda item 8

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

Bangladesh, Bhutan, China, Chile, Colombia, Cuba, Democratic People's Republic of Korea*, Egypt, Ethiopia, India, Indonesia, Iran (Islamic Republic of)*, Iraq*, Kenya*, Madagascar*, Malaysia, Myanmar*, Nepal, Nigeria*, Pakistan, Philippines, Sri Lanka, Sudan*, Syrian Arab Republic*, Tunisia*, Viet Nam* and Yemen*: draft resolution

1995/... The right to development

The Commission on Human Rights,

Guided by the purposes and principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming the commitment contained in Article 56 of the Charter of the United Nations to take joint and separate action in cooperation with the United Nations for the achievement of the purposes set forth in Article 55 of the Charter,

Reaffirming also 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,

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

Underlining that the right to development as a universal and inalienable right and an integral part of fundamental human rights was reaffirmed by the Vienna Declaration and Programme of Action (A/CONF.157/23) and that the human person is the central subject of development,

Reiterating that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner and on the same footing, and the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Recalling General Assembly resolutions 49/183 of 23 December 1994 and its own resolutions 1994/11 of 25 February 1994 and 1994/21 of 1 March 1994,

Reaffirming the need for a relevant evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development, and the need to provide the Centre for Human Rights with a focal unit with the specific task of following up the implementation of the Declaration,

Taking note with interest of the meeting of the Chairman of the Working Group on the Right to Development with members of the Committee on Economic, Social and Cultural Rights at the ninth session of that Committee and the participation of the Chairman of the Committee on Economic, Social and Cultural Rights and the Vice-Chairman of the Committee on the Rights of the Child in the meetings of the Working Group at its second and third sessions, respectively,

Noting that the Assistant Secretary-General addressed a letter, dated 14 April 1994, to the Executive Secretaries of the regional commissions and the heads of the international financial institutions enjoining them to participate actively in the sessions of the Working Group and to contribute substantially to its work,

Welcoming the active process of inter-agency consultations with a view to finalizing the draft declaration and the draft programme of action to be adopted at the World Social Summit, the holding of the United Nations Conference on Human Settlements (Habitat II) and the commitment of the High

Commissioner for Human Rights to undertake high-level consultations with heads of State or Government, heads of the multilateral financial institutions, specialized agencies and intergovernmental and non-governmental organizations on the implementation of adequate measures in order to find a durable solution to the debt crisis of developing countries,

Having considered the reports of the Working Group on the Right to Development on its second and third sessions (E/CN.4/1995/11 and E/CN.4/1995/27),

1. Takes note with appreciation of the reports of the Working Group on the Right to Development on its second and third sessions, and welcomes its recommendations;

2. Welcomes the efforts made by the Working Group, which are increasingly oriented towards the establishment of a permanent evaluation mechanism in the future to follow up the implementation of the Declaration on the Right to Development in accordance with the pertinent resolutions of the Commission and the General Assembly;

3. Urges the Secretary-General to take further necessary measures in order to achieve wide and effective dissemination of the provisions of the Declaration on the Right to Development and the work of the Working Group on the Right to Development;

4. Requests the Secretary-General to take steps to implement the recommendations made by the Working Group on its second and third sessions, particularly by providing the Centre for Human Rights with a focal unit with the specific task of following up on the Declaration on the Right to Development and its implementation;

5. Urges the Working Group to continue to identify ways and means and to suggest further concrete measures to promote an international economic environment which is more responsive to the needs of the developing countries, particularly the least developed among them, so as to allow the right to development to be implemented;

6. Recommends that the Economic and Social Council dedicate, as early as possible, the high-level segment of one of its substantive sessions to evaluating the implementation of the Declaration on the Right to Development

within the United Nations system, including the work of the international financial institutions and other specialized agencies and taking into account the work of the Working Group and its report and the conclusions of the World Summit for Social Development on this issue;

7. Recommends that the question of the realization of the right to development be adequately reflected in the work and the final outcome of the World Summit for Social Development to be held at Copenhagen, particularly with regard to creating an enabling economic and social environment and the means of implementing and following up on the results of the Summit;

8. Also recommends that consideration be given to including the question of the right to development on the agenda of other forthcoming conferences to be convened by the United Nations, including, in particular, the United Nations Conference on Human Settlements (Habitat II) and the Fourth World Conference on Women: Action for Equality, Development and Peace, and the substantive session of the Commission on Sustainable Development;

9. Decides that the Working Group will hold two sessions, each for a two-week period, in April and September 1995 respectively, to formulate its recommendations for submission to the Commission at its fifty-second session;

10. Calls on the Centre for Human Rights to give priority to the right to development by making it a sub-programme of its programme of activities for the years 1992-1997 and of its future programme of activities;

11. Request the Economic and Social Council at its substantive session for 1995, under the agenda item "Human rights questions", to continue to consider the question of the implementation of the provisions of the Declaration on the Right to Development;

12. Requests the High Commissioner for Human Rights to continue promoting the implementation of the right to development and the Declaration on the Right to Development, inter alia, by working closely with the Working Group on the Right to Development and making recommendations for enhancing the support of relevant bodies of the United Nations system, in fulfilment of his mandate to promote and protect the realization of the right to development;

13. Reiterates its request to the Secretary-General to ensure that the Working Group is granted all the necessary assistance, in particular human and financial resources, to carry out its mandate;

14. Decides that the reports of the Working Group on its work should, along with other relevant documentation relating to development, be made available to the General Assembly in the context of the celebration of the fiftieth anniversary of the United Nations;

15. Requests the Secretary-General to submit to the Commission at its fifty-second session a report on the implementation of the present resolution;

16. Decides to consider the question of the right to development at its fifty-second session, under the item entitled "Question of the realization of the right to development".
