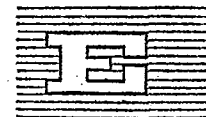


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



E/CN.4/AC.39/1982/4
2 July 1982

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Working Group of governmental experts
on the right to development
Fourth session
Geneva, 28 June-9 July 1982

DRAFT DECLARATION ON THE RIGHT TO DEVELOPMENT

Preamble proposals prepared by Netherlands

The General Assembly,

(Guidelines
I.1 and
WP.5)

1. Bearing in mind that among the purposes and principles of the Charter of the United Nations is to achieve international co-operation in solving international problems of an economic, social and cultural nature, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without any distinction whatsoever as to race, sex, language or religion;

(Guidelines
I.2 and
WP.5;
Report
para. 33)

2. Considering that under the Universal Declaration of Human Rights everyone is entitled to a social and international order in which the rights and freedoms set forth in that Declaration can be fully realized;

(Guidelines
I.3;
Preamble
International
Covenants;
WP.5)

3. Reiterating that, in accordance with both the Universal Declaration of Human Rights and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, respectively the ideal of free human beings enjoying civil and political freedom as well as freedom from fear and want, can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights as well as his civil and political rights and that these Covenants recognize that these rights derive from the inherent dignity of the human person;

(Guidelines
I.4;
Preamble
Declaration
on Social
Progress and
Development;
CERDS,
Chapter I;
DD III para.8)

4. Recalling the general recognition of the interdependence of economic growth and social development in the wider process of growth and change, and of the promotion and observance of human rights as a fundamental principle of international economic relations which is reflected by, inter alia, the Declaration on Social Progress and Development,^{1/} the Declaration and the Programme of Action on the Establishment of a New International Economic Order,^{2/} the Charter of Economic Rights and Duties of States^{3/} and the International Development Strategy for the Third United Nations Development Decade;^{4/}

(Guidelines
IIa/b; WP.5;
WP.17; WP.18;
WP.19;
Report
paras. 20,
22 and 33)

5. Convinced that the Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations^{5/} support a right to development as a human right, which can secure equal opportunity for development of nations and thereby for the individuals who make up nations;

(Guidelines
III; Report
para. 40)

6. Underlining that the obstacles encountered by developing countries in their efforts to secure the enjoyment of human rights call for a global approach;

(Guidelines
III; DD III,
para.8,
Report
paras.8, 11,
35)

7. Further underlining that the right to development must promote human dignity and that the ultimate aim of development is the constant improvement of the well-being of both the individual and the entire population on the basis of full participation in the process of development and a fair distribution of the benefits therefrom;

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- 1/ General Assembly resolution 2542 (XXIV).
 - 2/ General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).
 - 3/ General Assembly resolution 3281 (XXIX).
 - 4/ General Assembly resolution 35/56.
 - 5/ General Assembly resolution 2625 (XXV).

(Guidelines
Report
para. 27,
28; WP.18)

8. Recognizing that the creation of conditions favourable to the development of individuals is the primary responsibility of their States as well as that States have responsibility to the international community and to their own citizens to protect and to promote human rights without discrimination;

Solemnly proclaims the following Declaration.

DD III: United Nations Strategy for the Third International Development Decade.

CERDS: Charter of Economic Rights and Duties of States.