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COMMISSION ON HUMAN RIGHTS

Forty-fourth session

SUMMARY RECORD OF THE 23rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 17 February 1988, at 10 a.m.

Chairman: Mr. SENE (Senegal)

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Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

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- (a) Problems related to the right to enjoy an adequate standard of living; the right to development
- (b) The effects of the existing unjust international economic order on the economies of the developing countries and the obstacle that this represents for the implementation of human rights and fundamental freedoms
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The meeting was called to order at 10.30 a.m.

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

- (a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; THE RIGHT TO DEVELOPMENT
- (b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
- (c) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS
(agenda item 8) (continued) (E/CN.4/1988/9 and Add.1-2, E/CN.4/1988/10, 11 and 37, chapter I, section A, draft resolution XI; E/CN.4/1988/NGO/2, 5, 12 and 15; E/CN.4/1987/10; A/RES/42/114, and 117)

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

(agenda item 18) (continued) (E/CN.4/1988/37, chapter 1, section A, draft resolution I; A/42/450; E/C.12/1988/1; CCPR/C/2/Rev.1)

1. Mrs. ILIC (Yugoslavia) said that the structural adjustments currently being made in many societies had contributed to the growing awareness of the need to strengthen action for the realization of economic, social and cultural rights. The establishment of the Committee on Economic, Social and Cultural Rights and the work done by the Sub-Commission on Prevention of Discrimination and Protection of Minorities were examples of United Nations efforts to face up to contemporary challenges.

2. The right to housing had been recognized as an important aspect of the right to an adequate standard of living under article 25 of the Universal Declaration of Human Rights, and had later been enshrined in article 11 of the International Covenant on Economic, Social and Cultural Rights. The goals of the International Year of Shelter for the Homeless (1987) had placed special emphasis on the importance of that right, the realization of which was one of the essential conditions for the effective enjoyment of many other human rights.

3. Questions relating to the planning of housing were among the priorities of her Government's economic and social policy. Many of its housing problems arose out of rapid urbanization, and housing shortages in the bigger cities continued to pose serious difficulties. However, the situation was gradually improving.

4. The importance of popular participation as a factor in development and in the realization of all human rights had been generally recognized. The Secretary-General's report on the topic (E/CN.4/1988/11) underscored the interrelationship between the realization of human rights and popular participation, which could be described as one of mutuality. The debate on

popular participation also addressed the question of participation as a separate right. The Commission had, in its resolution 1987/21, requested the Secretary-General to prepare a study of laws and practices by countries regarding the question of the extent to which the right to participation had been established and had evolved at the national level. Her delegation was looking forward to seeing the Secretary-General's report on that study at the next session of the Commission.

5. Recent encouraging steps had been taken relating to overall strategies for the world-wide realization of economic, social and cultural rights. One such step was the adoption by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of its resolution 1987/29. Her delegation supported that resolution, including the recommendation that the Commission on Human Rights and the Economic and Social Council should authorize the Sub-Commission to appoint a special rapporteur to study problems, policies and progressive measures relating to a more effective realization of economic, social and cultural rights, and the outline of the special rapporteur's mandate.

6. Mr. TURK (Yugoslavia) said that the adoption by the General Assembly of the Declaration on the Right to Development was a general recognition of the importance of the right to development, a right which had a catalytic effect on the realization of all other human rights. The Declaration emphasized the centrality of the human person in the development process and the idea that the human person should be the active participant and beneficiary of the right to development. Those core elements provided an important platform for further activities relating to the right to development, as well as for the consideration of other issues arising out of the interrelationship of development and human rights.

7. The report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10), showed that the Working Group had done its best to make a systematic analysis of the issues raised by Governments in their replies. However, more replies from Governments, international organizations and non-governmental organizations were needed. In that connection, the Working Group attached particular importance to the replies from the international financial institutions.

8. Some of the Working Group's recommendations lent themselves to immediate realization, while others required additional elaboration. An effort should therefore be made to draw up a precise list of proposals for further enhancement and realization of the right to development and for setting priorities among such proposals. He drew particular attention to the recommendation concerning the need for an evaluation mechanism within the United Nations with a view to monitoring, reviewing and co-ordinating the actions taken by United Nations organs and specialized agencies to facilitate the implementation of the Declaration and the recommendation that the Secretary-General should be requested to give his views in consultation with Governments on how an evaluation system of that kind could be set up.

9. The Working Group's report clearly showed the need for a continuation of its activities. It was of paramount importance that the Commission should remain the forum for thorough debate on the right to development. An appropriate subsidiary organ should assist it with the necessary preparatory work, with as many Governments as possible taking part.

10. Mr. PAN Wei Huang (China) said that the contribution of the right to development to the enrichment of the concept of human rights should not be underestimated. A clear understanding of that point was essential to the implementation of the Declaration on the Right to Development. While the right of peoples to self-determination was the pre-condition for the right to development, the latter was the natural extension of the former. After a nation achieved political independence, it needed to pursue economic, social and cultural development, free from external interference.
11. The implementation of the Declaration presupposed the removal of obstacles to the right to development, at both international and national levels. It was imperative, therefore, to adopt effective measures in accordance with article 5 of the Declaration to eliminate racism, apartheid and colonialism, ensure the immediate withdrawal of foreign aggressor troops and put an end to foreign military occupation and domination.
12. The establishment of a rational international economic order was an indispensable condition for the development of the developing countries. Trade protectionism and the drastic decline in commodity prices had resulted in a serious shortage of funds for development and heavy debt burdens. On the other hand, the developing countries themselves also needed to create a favourable environment for their development in the light of their respective social conditions. For example, measures could be taken in accordance with article 8 of the Declaration and the recommendations of the Working Group. Quite a number of developing countries had made remarkable efforts in that regard and had achieved good results. The Working Group should not only continue its work, but also be strengthened by enlarging its membership so as to increase its representativeness.
13. The aim of the International Year of Shelter for the Homeless (1987) had been to arouse world attention and strive for a solution to the difficult problem of housing. One billion people throughout the world were either homeless or living in extremely poor housing conditions, in both developing and developed countries. The problem required the attention of the international community as a whole.
14. The question of food was also closely linked with development, and the Sub-Commission had accordingly adopted a draft resolution on the right to food. There had been an annual increase of 1.5 million starving persons in the world between 1970 and 1980, while, during the first half of the 1980s, there had been an annual increase of 8 million. Of the 730 million starving people in the world, 60 per cent were in Asia, 25 per cent in Africa and 10 per cent in Latin America. The international community must take urgent action to ameliorate that situation. The solution to problem of food also depended on the economic growth and social development of all countries, and on an environment favourable to the development of economic and technical co-operation between North and South.
15. Mrs. SANTOS PAIS (Portugal) said that the ideal of the free human person, enjoying civil and political liberty and freedom from fear and poverty, could not be realized without creating the conditions enabling each individual to enjoy his or her civil, political, economic, social and cultural rights. Any concept of human rights which ignored the problems of underdevelopment ran the risk of the continued violation of those rights. On the other hand, any

economic, social or cultural development strategy based on the denial of human rights would never result in real human development. The economic and social policy of a Government should never be an excuse, therefore, for infringing upon civil and political rights. She drew particular attention to Articles 1 and 55 of the Charter in that regard.

16. The Universal Declaration of Human Rights, in the same spirit, recognized that the peoples of the United Nations had in the Charter reaffirmed their faith in fundamental human rights and had determined to promote social progress and better standards of life in larger freedom, and that everyone was entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration could be fully realized. Subsequently, the International Covenants on Human Rights had reaffirmed that principle, declaring that all peoples had the right of self-determination, freely determining their political status and freely pursuing their economic, social and cultural development.

17. The International Conference on Human Rights, held at Teheran in 1968, had declared that the widening gap between developing and developed countries was a hindrance to respect for human rights. The Declaration on Social Progress and Development of 1969 referred to the need for a just social order and respect for the dignity and worth of the human person.

18. The Declaration on the Right to Development, adopted by the General Assembly in 1986, recognized the human person as the central subject of development. Her delegation considered that acknowledgement of the worth of the human person was an essential precondition for the full realization of human dignity and an objective of any development policy.

19. Improvements in the well-being of the population could, of course, be achieved in different ways. Both the International Covenant on Economic, Social and Cultural Rights and the Declaration on the Right to Development called for the full exercise and progressive enhancement of the rights to which they referred. The concept of development outlined in the Declaration covered not only material needs, but also psychological, social and cultural factors. It was important, therefore, not to pay too much attention to the material aspect of development, or view the human being merely as an instrument of production, with over-emphasis on swift economic growth.

20. It was essential to guarantee the enjoyment of economic, social and cultural rights such as the right to work, social security, the protection of the family and childhood, health, education, and participation in cultural life. It was also important to maintain a flexible concept of fundamental rights which could be adapted to cover new situations.

21. International co-operation and solidarity would help to eliminate the obstacles to development. The United Nations had a particular role to play in that regard. Co-operation must, however, be based on independence, sovereignty and self-determination, while taking into account different experiences, cultures and stages of development. Co-operation within the international community had already produced many legal instruments which acknowledged fundamental rights and freedoms. It was essential however, that States should guarantee the implementation of those instruments by adopting the necessary domestic measures and collaborating with the United Nations monitoring system. They must give their assistance and support to new

ventures such as the draft convention on the rights of the child and the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms. The United Nations could do a great deal to make States more aware of the need for international co-operation.

22. Popular participation in human-rights activities, through political parties, employers' associations, workers' associations and associations representing various social groups could help to determine the people's real needs and define objectives and strategies. At the national level, popular participation would increase individual fulfilment and the contribution of members of society to the solution of national problems. In her own country, the Government acknowledged the importance of active and democratic participation by the population in the resolution of national issues.

23. Ms LUND (Norway) said that concerted international efforts were needed to improve the living conditions of the most vulnerable groups in society. Her country was involved in multilateral and bilateral programmes designed to protect the human rights of the individual as both a beneficiary and an agent of the development process.

24. The realization of economic, social and cultural rights did not depend on international conditions alone. It was for individual countries to ensure a fair distribution of resources to all their citizens without discrimination of any kind. Economic, social and cultural rights formed an integral part of international human-rights law; they were the subject of specific treaty obligations under the International Covenant on Economic, Social and Cultural Rights. States must, at all times, act in good faith to fulfil their obligations under the Covenant. Moreover, all human rights - civil and political rights on the one hand and economic, social and cultural rights on the other - were interactive and mutually reinforcing. The realization of one category of rights could not exempt States from facilitating the realization of the other.

25. States could not cite their lack of development to justify their failure to implement economic, social and cultural rights. It would be useful if States parties to the Covenant could identify benchmarks of achievement in relation to the rights contained in that instrument. While the rights themselves were widely recognized, the specific obligations which they entailed for individual States remained rather vague, and the Commission should support the efforts of the Committee on Economic, Social and Cultural Rights to solve the problem.

26. There was a need for further clarification of the different levels of obligations of States under the Covenant. In that connection, the report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23) pointed to a number of challenges regarding the nature of economic, social and cultural rights and the obligations of States. It was to be hoped that the report would be taken into account by the States parties to the Covenant and by the Committee on Economic, Social and Cultural Rights, as well as by the major United Nations development programmes and the Food and Agriculture Organization.

27. The Sub-Commission had suggested that a Special Rapporteur should be appointed to study problems, policies and progressive measures relating to a more effective realization of economic, social and cultural rights. Her delegation considered that the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights gave a commendable analysis of the nature and scope of States parties' obligations under the Covenant, and the Committee on Economic, Social and Cultural Rights should take them into account in its monitoring of the implementation of the Covenant.

28. A significant feature of the Declaration on the Right to Development was its statement that failure to observe the full range of human rights constituted an obstacle to genuine development. Respect for those rights should be an important element of development policies and programmes. Those aspects, which were not so fully reflected in the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10), should be given due attention by the Commission if the Declaration were to prove a constructive addition to the United Nations human-rights machinery.

29. Mr. de BRITO CRUZ (Brazil), said that the right to development had been implicitly recognized in the Universal Declaration of Human Rights, which stated that everyone was entitled to a social and international order in which the rights and freedoms set forth in the Declaration could be fully realized. The Declaration on the Right to Development, adopted by the General Assembly in 1986, was an indispensable adjunct to the Universal Declaration, and it was surprising to discover that some States still had fundamental misgivings about the concept of that right.

30. The rights enshrined in the Universal Declaration were intimately linked with the development process. In the field of economic, social and cultural rights, the degree of development affected the right to work, social security, leisure, an adequate standard of living and education. It was even more important to understand the link between development and the realization of civil and political rights. The right to life, liberty and security of person could have no meaning for people living below the poverty line. Equality before the law could have no meaning when illiteracy kept thousands of human beings ignorant of the law itself. The right to privacy could have no meaning until the right to adequate housing had been realized.

31. Every nation had the right to improve its standard of living and its institutions, just as every individual had the right to free and complete fulfilment of his or her personality. His delegation was convinced that the collective and individual right to development, which he had described, would soon be acknowledged throughout the international community as an inalienable human right.

32. The guidelines for the future work of the Working Group of Governmental Experts on the Right to Development required careful thought. The number of its members might be increased, but it should not become an open-ended group. His delegation supported the measures proposed by the Working Group to promote a deeper understanding and a wider acceptance of the right to development. In the Group's future activities, priority should be given to the further elaboration of the legal aspects and implications of the right to development and to promoting knowledge and recognition of that right throughout the world.

33. Mr. STEEL (United Kingdom) said that his Government attached great importance to the widest possible adherence to the International Covenants on Human Rights, not merely by routine acknowledgements of their moral value and authority but by the explicit acceptance of the Covenants as treaties which imposed legal obligations upon States, conferred legal rights upon human beings and enabled the international community to monitor the performance of those obligations and the enjoyment of those rights.

34. Those States that had not already done so should consider ratifying or acceding to the Covenants as soon as possible. The greatest possible support should be given to the Human Rights Committee and to the Economic, Social and Cultural Committee so that they could fulfil their tasks. States should conscientiously furnish the two Committees with the information and materials which they were entitled to receive.

35. His delegation wished to stress once again the vital importance of providing those two treaty-monitoring Committees with summary records of their proceedings, an essential facility which made the Committees themselves more cost-effective, enabled them to build up an essential corpus of case law over the years, provided a repertory of practices and expertise and, last but not least, made it easier for individuals to gain a greater knowledge of their rights and of the machinery open to them to prevent or secure redress for violations of their rights.

36. His Government wished to dispose of any misconception that might still linger that it did not really accept the concept of economic, social and cultural rights, or that it regarded them as of an inferior order to civil and political rights. On the contrary, its acceptance of those rights was equal to that of any delegation present. Perhaps the source of any genuine misconception was that, for his delegation, both kinds of rights were the rights of individuals - not of Governments, States or any other collective entity.

37. To some delegations that distinction might be unwelcome or seem irrelevant. To his delegation, it was of vital importance and its attitude towards the concept of the right to development must be seen in that light. The right to development was not an independent and autonomous right, but rather a synthesis of various rights which were themselves guaranteed by the provisions of the international Covenants on Human Rights. However, it was prepared to listen sympathetically to other views and work towards a consensus.

38. Mr. LEPRETTE (France) said that, while his delegation had welcomed the adoption, at the forty-first session of the General Assembly, of the Declaration on the Right to Development, it regretted that the adoption had not been by consensus. The Declaration established a clear link between development and human rights, and the right to development was inconceivable without the civil, political, economic and social rights set forth in the Covenants.

39. The Declaration was a synthesis of individual and collective rights and might serve as a new point of reference for North-South co-operation, which his Government was actively pursuing. However, the Declaration would only have a real impact if adhered to by the largest number possible of States, and

it was therefore essential to reach a general understanding on the concept defined therein. The discussions should thus relate not to the letter but to the spirit of the Declaration, so as to pave the way to a genuine consensus, without which a codification of the concept of the right to development could not be envisaged.

40. The Working Group of Governmental Experts on the Right to Development had held its eleventh session from 11 to 22 January. It had taken note of the diversity of views expressed by Governments and intergovernmental and non-governmental organizations, and several of the experts had wondered whether it would be useful to continue with their work or to enlarge the Working Group's composition. His Government considered that the study of the implementation of the Declaration on the Right to Development should be pursued, would prefer a flexible and pragmatic approach in the Working Group's methods and was in favour of making the Working Group open-ended because it was essential that as many views as possible on the subject should be heard.

41. Mrs. CASCO (Nicaragua) said that the right to development was an essential human right of peoples, denial of which was an obstacle to the exercise of other fundamental human rights. It was difficult to speak of equality when millions of human beings had to devote all their energy to warding off starvation. An illiterate person unable to obtain information on the political and economic development of his or her own country had few democratic options.

42. Political will and the fulfilment by Governments of the obligations they had contracted towards their citizens were not sufficient to eliminate poverty: international co-operation and the respect by all States of the right to territorial sovereignty and the self-determination of peoples were also necessary. If the exercise of economic and social rights was to become a reality, each people must be able to choose freely its own model of economic, political, social and cultural development. Furthermore, there could be no development or social progress without peace and stability and, for peace to be durable, it had to be accompanied by a development that was free of social injustice and exploitation.

43. The human rights embodied in the Universal Declaration were indivisible. Unfortunately, certain sections of the international community were not only indifferent to the inhuman situation in which millions of people in the third world lived, but even fought to maintain that situation through an unjust international economic order, economic coercion and the use of force in international relations. If the developing countries were to achieve economic independence and true development, economic aggression, commercial boycotts, protectionism and the pressure applied by international financial bodies must cease.

44. An equitable international division of labour must be established that included access by the developing countries to capital markets, technological transfer under favourable conditions, the setting of fair prices for basic commodities and the maintenance of the purchasing power of the developing countries. That would not only improve the material well-being of peoples but would also lead to true economic independence.

45. Her people had paid a high price for breaking with the model imposed by the hegemonic Power, a model that had brought nothing but poverty and backwardness to her country. A total of 50,000 Nicaraguans had lost their lives in the struggle to overthrow the Somoza dictatorship, and as many more had been killed in the past seven years as a result of the aggression carried out by the United States. Nicaragua's model for development involved escaping from the long political, economic, military, social, ideological and cultural domination by the United States and establishing independence, recovering Nicaragua's natural resources and initiating an economic development that would transform the country and not only generate wealth but distribute it fairly.

46. That model held high the precious values of political pluralism: a mixed economy, non-alignment, sovereignty, cultural diversity, self-determination, national identity and international co-operation. Those aspirations were, however, being put to a severe test by scientific advances, the instantaneous nature of information and the economic interdependence of the contemporary world. Like the vast majority of poor underdeveloped countries, Nicaragua had to face up to an unjust international economic order, but it had also to cope with a ruthless aggression aimed at turning back the pages of history and restoring the ignominious exploitation of the past.

47. Mrs. DIEGUEZ ARMAS (Mexico) said that the adoption of the Declaration on the Right to Development was not the end of the story: it had also to be implemented. The promotion of the principles contained in the Declaration presupposed recognition of the fact that the human person was the active participant and direct beneficiary of development and that the right assisted in the attainment of the right to self-determination and to the exercise of the inalienable right of full sovereignty over a people's natural resources.

48. It was difficult to guarantee the full enjoyment of human rights without a simultaneous process of development that ensured minimum levels of well-being for all. That was the challenge facing the vast majority of developing countries. In the case of the Latin American and Caribbean countries, imbalances in the international economic system had greatly affected their economies and external debt, massive transfers of capital abroad, rising interest rates and a proliferation of protectionist measures had damaged the standard of living of their peoples, entailing a serious setback in their struggle to attain true development while encouraging democracy and respect for human rights.

49. Deeply concerned at that situation, the Heads of State of eight Latin American countries had called upon the Heads of State of the industrialized countries to enter into a political dialogue on ways of overcoming obstacles to development, reorganizing the world economy and taking decisions on peace and security. Her Government was convinced that all States and international organizations must marshal their efforts to eliminate obstacles to development and such threats to world peace and security as inequality, apartheid, illegal occupations, colonialism and aggression.

50. It was also necessary to release for economic and social development the enormous resources currently allocated to the arms race. The growing military budgets of the great Powers - but also of the developing countries themselves - had coincided with the most serious international economic crisis of modern

times and had had an adverse impact on development projects. International co-operation was the only way of coping with the consequences of the imbalances of the existing international economic order.

51. At the national level, the promotion of the right to development would require legislative reforms recognizing its importance and the creation of internal economic machinery and economic and social planning. To that end, her Government had amended a number of articles of the Constitution to incorporate the principles stemming from the right to development.

52. It had analysed the report of the Working Group of Governmental Experts on the Right to Development, and supported the recommendations contained therein. It was concerned, however, lest the expression of good intentions might become a dead letter as had been the case with other important documents adopted by the international community.

53. Mr. OBREGON VALVERDE (Costa Rica), said that, before a right could be exercised it had to be obtained but it was often difficult to know whether the latter had been achieved. The constitutions of all the Latin American countries contained principles of human rights that had not actually begun to be observed until 100 to 150 years after their adoption. Rights covered by a constitution or legislation were not necessarily thereby exercised; conversely, rights were often respected although not embodied in the law. Generally speaking however, a right became exercisable when it became part of a particular body of positive law, especially in countries of Latin origin.

54. One view in modern political science was that the law was the means whereby peoples could obtain and exercise their rights; thus understood, a people's freedom, and its true power, lay in its capacity to secure its rights through the law. In practice, however, it was possible for a strong national oligarchy or powerful supranational interests to hamper the full exercise of legally constituted rights. A dictatorship might allow all human rights to be enshrined in the law and constitution but obstruct their exercise in practice and, even in a democracy, it was possible for certain interests to hinder such exercise.

55. It was likewise possible to have political freedom but lack the means to guarantee economic, social and cultural rights. Under a dictatorship, revolution was the sole course available to a people seeking its rights; in a modern democracy, on the other hand, peaceful means were available. History showed, however, that rights had never been bestowed voluntarily upon peoples but had always had to be striven for.

56. In a modern democracy, it was through political parties and other organized groups that the people exercised power - and talking of rights necessarily meant talking of power. One example of organized groups was the trade union, whose potential influence, for example in national development planning, seemed not to be fully appreciated in some countries. Of the two classes of power - the institutionalized power wielded by an elected political party, and the power acquired by organized social groups - the latter was proportionately stronger the more democratic a society. Democracy had thus come to mean not simply a system of government but a way of national life, and the exercise of rights was a function of organized society rather than of public powers.

57. Not all nations, therefore, had the same opportunity to exercise their human rights. Where the democratic process was more advanced, economic and social rights could be sought by means such as collective action vis-à-vis individual employers rather than, as in less advanced countries, solely by action against the public authorities. The important issue was that social groups should be aware both of their own requirements and of the need to ensure that, in seeking to satisfy them, they did not destroy the economic system itself and thus the constitutional order. Armed violence risked not only failure but also the return of greater repression than before.

58. All of which meant that only democracy was conducive to the exercise of all human rights. The latter had to be obtained by stages, according to a country's degree of development; and public authorities and social organisms were alike responsible for the enjoyment of such rights.

59. Countries could not, however, truly develop in isolation. No one could be complacent about the current existence of human rights when, according to FAO in a recent report, 70 per cent of mankind went hungry. No amount of effort towards democratic development would avail a poor country caught in the slip-stream of major, self-centred world economies. A State could be internally democratic and exercise an economic dictatorship fraught with dire consequences internationally. There could be no development without participation, and participation meant democracy among nations as well as within them. Human rights could be truly enjoyed only through the solidarity which was at the heart of the right to development.

60. Mr. HERNDL (Observer for Austria) said that his Government, which attached great importance to the International Covenants on Human Rights, commended the work of the two bodies which formed the supervisory machinery for those instruments. To ensure observance of human rights and fundamental freedoms, it was not enough to establish international rules; adequate implementation procedures were essential also. The Austrian Parliament had recently ratified the Optional Protocol to the International Covenant on Civil and Political Rights, and his delegation urged all States which had not yet done so to accede to the two Covenants which formed, together with the Universal Declaration of Human Rights, the backbone of all the human-rights activities of the United Nations. Indeed, it might be wondered whether failure to accede to those instruments was compatible with United Nations membership.

61. The Human Rights Committee's praiseworthy standards, impartiality and objectivity when considering reports submitted pursuant to the Optional Protocol made it hard to understand why most States still hesitated to submit to its independent jurisdiction. The Committee had made a remarkable contribution to the development of international human-rights law, having elaborated new standards for reporting procedures, pursued constructive dialogue with the States parties concerned and adopted a number of general comments under article 40 of the International Covenant. Such comments, having been reached by consensus, could be deemed universally recognized uniform standards, which it was hoped other relevant United Nations bodies would observe.

62. Austria had just submitted its first report pursuant to the International Covenant on Economic, Social and Cultural Rights to the Committee on Economic,

Social and Cultural Rights; his delegation was impressed by the Committee's approach to its task, and felt that it should provide new ideas and suggestions for any States which encountered difficulties in progressively introducing the rights enshrined in the Covenant.

63. His Government believed that civil and political rights were inseparable from economic, social and cultural rights and were alike essential to human dignity. The latter could not be guaranteed without the requisite economic, social and cultural pre-conditions - the lack of which, however, could never justify the denial of civil and political rights. Although the rights enshrined in the International Covenant on Economic, Social and Cultural Rights could be achieved only progressively, that did not imply a right for States to defer indefinitely the measures to that end.

64. As to the question whether those rights should be embodied in legislation, the answer depended on the nature of the rights concerned. A right such as the right to non-discrimination called for immediate implementation pursuant to law. Others, such as the right to education, could become legally enforceable in due course - seemingly a major task facing the world community. Rights such as the right to work would be hard to embody in law, however, since the requisite social and economic conditions were a matter for legislators and Governments and could not be created by judicial decisions.

65. Since the General Assembly's welcome proclamation of the Declaration on the Right to Development, the Working Group of Governmental Experts on the Right to Development had been carrying out its tasks and had issued a second report (E/CN.4/1988/10) which merited careful study. It should be emphasized that the right to development was conceived as an individual, not a collective, right, although society had to be involved in creating the conditions under which that right could be readily enjoyed.

66. Mrs. MARKHUS (Observer for the Libyan Arab Jamahiriya) said that civil and political rights and economic, social and cultural rights were complementary; denial of the rights embodied in one group made enjoyment of the others impossible. The interest of peoples in securing their fundamental freedoms and human rights had so intensified over the years that those rights and freedoms had become the salient feature of any democratic system. They had not been gained without a struggle, however: throughout the world, peoples had been striving to overthrow repressive régimes and remove the vestiges of colonialism and neo-colonialism, foreign occupation, apartheid and all forms of racism and racial discrimination, denial of self-determination and the plunder of peoples' natural resources.

67. The major world issues were peace, independence, disarmament and development. The relationship between disarmament and development was organic: the resources currently devoted to disarmament should be diverted towards the development of all nations, especially the least developed. The establishment of a new international economic order was vitally important for the promotion of rights and freedoms, particularly for the developing countries, whose efforts were severely hampered by the prevailing unjust order.

68. Her delegation welcomed the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10). The right to development was an inalienable right, to which all peoples were equally entitled, and was closely linked to the establishment of a new international economic order, which meant putting an end to all forms of international economic aggression. Genuine international co-operation among peace-loving States would, however, succeed in achieving the goal of universal peace and prosperity.

69. Popular participation was a most important factor in the efforts to secure the exercise of all human rights. True happiness depended on freedom and the ability of individuals to satisfy their own needs; for that purpose, popular participation in decision-making was essential. Such participation was fully exercised in her country, through the People's Committees, trade unions and other democratic organizations. In the economic sphere, for example, workers participated fully in production planning; they were thus not mere employees but true partners in industry.

The meeting rose at 1 p.m.