



UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
RESTRICTED

E/CN.4/AC.39/1982/26
2 December 1982

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Working Group of Governmental Experts
on the Right to Development
Fifth session
Geneva, 22 November-3 December 1982

DRAFT DECLARATION ON THE RIGHT TO DEVELOPMENT

Working paper submitted by Algeria

Preamble

1. Conscious of the fact that the political, economic, social and cultural well-being of present and future generations depends more than ever on the existence, among all members of the international community, of a spirit of co-operation based on sovereign equality and the elimination of the imbalance which exists between them.

2. Convinced that the codification and progressive development of the right to development will help to strengthen and promote human rights in both their individual and their collective dimensions.

Operative part

Means

1. With a view to the realization of the right to development, States must co-operate with one another, regardless of the differences which exist between their political, economic and social systems, in the various areas of international relations in order to maintain international peace and security, to promote economic, technical, social and cultural progress and the general well-being of nations, to establish a new, more just and more equitable international order, to eliminate all forms of inequality and exploitation of peoples and individuals, and to combat colonialism, racism, particularly apartheid, and any other policy or ideology contrary to the purposes and principles of the United Nations.

2. The realization of the right to development requires the active, full and equitable participation of the developing countries in the formulation and implementation of all decisions affecting the international community.

3. Measures must be taken at the national and international levels to prevent transnational corporations and other interest groups from collaborating with regimes which practise policies of coercion, such as colonialism, apartheid, racial discrimination, neocolonialism or any form of foreign aggression, occupation or domination. States must refrain from promoting or encouraging investments which may constitute an obstacle to the liberation of a territory occupied by force.

4. The exploration, exploitation and management of the common heritage of mankind must be carried out for peaceful purposes and in the interests of mankind as a whole, regardless of the geographic, economic and political situation of States. The benefits deriving therefrom must be shared equitably by all States, regard being had in particular to the special interests and needs of the developing countries.

5. States, both individually and in co-operation with other States and with the competent international organizations, must actively encourage the communication of scientific data and information, and the transfer, particularly to developing States, of know-how from scientific and technical research, and strengthen the capacity of those States to conduct scientific and technical research, inter alia, by means of programmes to provide appropriate education and training for their technical and scientific personnel.

6. States, either directly or through the competent international organizations, must co-operate to the extent of their abilities in actively promoting the development and transfer of science and technology under just and equitable terms and conditions, and in introducing economic and legal conditions favourable to the transfer of science and technology.

7. States must encourage the development of scientific and technological capacity in developing countries and must promote technical assistance for this purpose.

8. Information and communication are an essential source of the right to development, and free access to communication and information are a prerequisite for any participation in the political, economic, social and cultural life of societies, as well as that of the world community.

9. Realization of the right to development, particularly in its cultural dimension, calls for the mobilization of national and international means for the preservation of cultural and historical relics and for the return to the country of origin of cultural property which has been plundered or acquired unlawfully.

Operative part

General provisions

1. Emphasizes the need to pursue endeavours to ensure progressive codification of the right to development, in which regard this Declaration is a significant step.

2. Nothing in this Declaration may in any way prejudice the right to self-determination, freedom and independence of peoples deprived of this right by force, particularly peoples subjected to colonial or racist regimes or to other forms of foreign domination, and the right of those same peoples to struggle to that end and to seek and receive support, in keeping with the principles of the Charter of the United Nations.
