

Aware of the interest shown by several Member States, specialized agencies and non-governmental organizations in the work of the Working Group,

1. *Expresses the hope* that the replies of Governments, United Nations bodies and specialized agencies, and governmental and non-governmental organizations, including those active in development and human rights, to the request made by the Secretary-General, pursuant to Commission on Human Rights resolution 1989/45, will contain additional, updated and more specific views and proposals on the subject of the implementation and further enhancement of the Declaration on the Right to Development;

2. *Takes note* of the invitation of the Commission to the Secretary-General to organize, within existing resources, a global consultation on the realization of the right to development, which would involve experts with relevant experience gained at the national level and representatives of the United Nations system, including the specialized agencies, regional intergovernmental organizations and interested non-governmental organizations, including those active in development and human rights, and which would focus on the fundamental problems posed by the implementation of the Declaration, the criteria that might be used to identify progress and mechanisms for evaluating and stimulating such progress;

3. *Expresses the hope* that the results of that global consultation, the report on which is to be presented to the Commission at its forty-sixth session, will substantially contribute to the future work of the Commission on the implementation and further enhancement of the Declaration;

4. *Endorses* the view of the Commission that there is a need for a continuing evaluation mechanism to ensure the promotion, encouragement and reinforcement of the principles set forth in the Declaration;

5. *Urges* all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to contribute to its application;

6. *Requests* the Secretary-General to inform the Commission at its forty-sixth session and the General Assembly at its forty-fifth session of the activities of the organizations of the United Nations system for the implementation of the Declaration;

7. *Calls upon* the Commission to decide at its forty-sixth session on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration;

8. *Invites* the Commission to report on the question to the General Assembly at its forty-fifth session, through the Economic and Social Council;

9. *Decides* to consider this question at its forty-fifth session under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

**44/63. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms**

*The General Assembly,*

*Recalling* that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

*Recalling also* the purposes and principles of the Charter to achieve international co-operation 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,

*Emphasizing* the significance and validity of the Universal Declaration of Human Rights<sup>4</sup> and of the International Covenants on Human Rights<sup>5</sup> in promoting respect for and observance of human rights and fundamental freedoms,

*Recalling* its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

*Recalling also* its resolutions 34/46 of 23 November 1979, 35/174 of 15 December 1980, 36/133 of 14 December 1981, 38/124 of 16 December 1983, 39/145 of 14 December 1984, 40/124 of 13 December 1985, 41/131 and 41/133 of 4 December 1986, 42/119 of 7 December 1987 and 43/125 of 8 December 1988,

*Taking into account* Commission on Human Rights resolution 1985/43 of 14 March 1985,<sup>41</sup>

*Reiterating* that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

*Recognizing* that the human being is the main subject of development and that everyone has the right to participate in, as well as to benefit from, the development process,

*Bearing in mind* that the grave economic situation facing the developing countries noticeably affects the effective promotion and full enjoyment of human rights and fundamental freedoms,

*Reiterating once again* that the establishment of the new international economic order is an essential element for the effective promotion and full enjoyment of human rights and fundamental freedoms for all,

*Reiterating also its profound conviction* that all human rights and fundamental freedoms are indivisible and interdependent and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

*Emphasizing* the need for the creation, at the national and international levels, of conditions for the promotion and full protection of the human rights of individuals and peoples.

<sup>41</sup> See *Official Records of the Economic and Social Council, 1985, Supplement No. 2 (E/1985/22)*, chap. II, sect. A.

*Recognizing* that international peace and security are essential elements for the full realization of human rights, including the right to development,

*Convinced* that the resources that would be released by disarmament could contribute significantly to the development of all States, in particular the developing countries,

*Reiterating* that co-operation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

*Convinced* that the primary aim of such international co-operation must be the achievement by all human beings of a life of freedom and dignity and freedom from want,

*Concerned*, however, about the occurrence of violations of human rights in the world,

*Reaffirming* that nothing in the Universal Declaration of Human Rights or in the International Covenants on Human Rights may be interpreted as implying for any State, group or person the right to engage in any activity or perform any act aimed at destroying any of the rights and freedoms proclaimed therein,

*Affirming* that the ultimate aim of development is the steady improvement of the well-being of the entire population, on the basis of its full participation in the process of development and a fair distribution of the benefits therefrom,

*Considering* that the efforts of the developing countries for their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

*Taking into account* the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,<sup>42</sup>

*Bearing in mind* the stipulations of the final documents of the Ministerial Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries, held at Harare from 17 to 19 May 1989,<sup>43</sup> particularly paragraphs 10 to 13 of the Economic Declaration,

*Emphasizing* the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development,<sup>39</sup>

*Taking into account* Commission on Human Rights resolutions 1989/15 of 2 March 1989 and 1989/45 of 6 March 1989,<sup>2</sup>

*Reaffirming* the importance of furthering the activities of the organs of the United Nations in the field of human rights in conformity with the principles of the Charter,

*Emphasizing* that Governments have the duty to ensure respect for all human rights and fundamental freedoms,

1. *Reiterates its request* that the Commission on Human Rights should continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms, in accordance with the provisions and concepts of

General Assembly resolution 32/130 and other relevant texts;

2. *Affirms* that a primary aim of international co-operation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. *Reaffirms* that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights;

4. *Reaffirms also* that it is of paramount importance for the promotion of human rights and fundamental freedoms that Member States should assume specific obligations by acceding to or ratifying international instruments in this field and, consequently, that the work within the United Nations system of setting standards in the field of human rights and universal acceptance and implementation of the relevant international instruments should be encouraged;

5. *Reiterates once again* that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (e) of General Assembly resolution 32/130, paying due attention also to other situations of violations of human rights;

6. *Reaffirms* its responsibility for achieving international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, and expresses its concern at serious violations of human rights, in particular mass and flagrant violations of those rights, wherever they occur;

7. *Expresses concern* at the present situation as regards the achievement of the objectives and goals for the establishment of the new international economic order, and at its adverse effects on the full realization of human rights, in particular the right to development;

8. *Reaffirms* that the right to development is an inalienable human right;

9. *Reaffirms also* that international peace and security are essential elements for achieving full realization of the right to development;

10. *Recognizes* that all human rights and fundamental freedoms are indivisible and interdependent;

11. *Considers it necessary* for all Member States to promote international co-operation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;

12. *Expresses concern* at the disparity existing between established norms and principles and the actual situation of all human rights and fundamental freedoms in the world;

13. *Urges* all States to co-operate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

14. *Reiterates* the need to create, at the national and international levels, conditions for the full promotion and protection of the human rights of individuals and peoples;

<sup>42</sup> A/44/551-S/20870, annex.

<sup>43</sup> See A/44/409-S/20743 and Corr 1 and 2, annex.

15. *Reaffirms once again* that, in order to facilitate the full enjoyment of all human rights without diminishing personal dignity, it is necessary to promote the rights to education, work, health and proper nourishment through the adoption of measures at the national level, including those that provide for the right of workers to participate in management, as well as the adoption of measures at the international level, including the establishment of the new international economic order;

16. *Decides* that the approach to future work within the United Nations system on human rights matters should also take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

17. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

*78th plenary meeting  
8 December 1989*

#### 44/64. National institutions for the protection and promotion of human rights

*The General Assembly,*

*Recalling* the relevant resolutions concerning national institutions for the protection and promotion of human rights, notably its resolution 41/129 of 4 December 1986 and Commission on Human Rights resolutions 1987/40 of 10 March 1987,<sup>44</sup> and 1988/72 of 10 March 1988,<sup>45</sup> and taking note of Commission resolution 1989/52 of 7 March 1989,<sup>2</sup>

*Emphasizing* the importance of the Universal Declaration of Human Rights,<sup>4</sup> the International Covenants on Human Rights<sup>5</sup> and other international instruments for promoting respect for and observance of human rights and fundamental freedoms,

*Affirming* that priority should be accorded to the development of appropriate arrangements at the national level to ensure the effective implementation of international human rights standards,

*Conscious* of the significant role that institutions at the national level can play in protecting and promoting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

*Recognizing* that the United Nations can play a catalytic role in assisting the development of national institutions by acting as a clearing-house for the exchange of information and experience,

*Mindful* in this regard of the guidelines on the structure and functioning of national and local institutions for the protection and promotion of human rights endorsed by the General Assembly in its resolution 33/46 of 14 December 1978,

*Noting* the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, and recognizing the value of such approaches,

1. *Takes note* of the note by the Secretary-General;<sup>46</sup>

2. *Reaffirms* the importance of developing, in accordance with national legislation, effective national institutions for the protection and promotion of human rights and of maintaining their independence and integrity;

3. *Encourages* Member States to establish or, where they already exist, to strengthen national institutions for the protection and promotion of human rights and to incorporate those elements in national development plans;

4. *Welcomes* the increase in the number of national institutions for the protection and promotion of human rights in various countries around the world;

5. *Encourages* initiatives on the part of Governments and regional, international, intergovernmental and non-governmental organizations intended to strengthen existing national institutions and to establish such institutions where they do not exist;

6. *Notes with appreciation* the action taken by the Centre for Human Rights of the Secretariat to co-operate with regional and national institutions for the protection and promotion of human rights;

7. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and operation of such national institutions;

8. *Requests* the Secretary-General to prepare, with the assistance of experts, if necessary, and incorporating materials submitted by Governments, a report containing conceptual models of national institutions for the protection and promotion of human rights, to be submitted to the Commission on Human Rights at its forty-seventh session;

9. *Also requests* the Secretary-General to respond favourably to requests from Member States for assistance in the establishment and strengthening of national institutions as part of the programme of advisory services and technical assistance in the field of human rights;

10. *Invites* the Secretary-General to include in an updated report all the information provided by Governments and any additional information that Governments may wish to provide, giving particular emphasis to the functioning of various models of national institutions in the implementation of international standards on human rights, as well as a list of existing national institutions with contact points and a bibliography of relevant materials;

11. *Affirms* the role of national institutions as agencies for the dissemination of human rights materials and other public information activities under the auspices of the United Nations;

12. *Recognizes* the constructive role that non-governmental organizations can play in relation to national institutions;

13. *Requests* the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

*78th plenary meeting  
8 December 1989*

<sup>44</sup> See *Official Records of the Economic and Social Council, 1987, Supplement No. 5* and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

<sup>45</sup> *Ibid.*, 1988, *Supplement No. 2* and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

<sup>46</sup> A/44/525. For the updated report, see E/CN.4/1989/47 and Add.1.