

41/131. 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 Rights² and of the International Covenants on Human Rights²⁴ 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 the 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 and 40/124 of 13 December 1985,

Taking into account Commission on Human Rights resolution 1985/43 of 14 March 1985,³⁰

Underlining the fact that the right to development is an inalienable human right,

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,

Reiterating once again that the establishment of the new international economic order is an essential element for the effective promotion and the 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 both civil and political and economic, social and cultural rights,

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

Bearing in mind Economic and Social Council resolution 1986/56 of 22 July 1986,

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

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

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

Recognizing 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 each people to choose freely its own socio-economic and political system and to exercise full sovereignty over its wealth and natural resources, subject to the principles referred to in article 1, paragraph 2, and article 25 of the International Covenant on Economic, Social and Cultural Rights,²² is essential for the promotion of peace and development,

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

Acknowledging the progress so far achieved by the international community in the promotion and protection of human rights and fundamental freedoms,

Concerned, however, at 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 the destruction of any of the rights and freedoms set forth therein,

Affirming that the ultimate aim of development is the constant 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 developing countries for their own development should be supported by an increased flow of resources, as well as by policy and appropriate measures aimed at creating an external environment conducive to the development of their countries,

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

Taking note of the work done by the Working Group of Governmental Experts on the Right to Development, as reflected in its reports to the Commission on Human Rights,¹¹⁴

1. *Reiterates its request* that the Commission on Human Rights continue its current work on the overall analysis with a view to further promoting and improving human rights and fundamental freedoms, including the question of the Commission's programme and working methods, 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 each 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 the promotion and protection of the others;

3. *Affirms its profound conviction* that equal attention and urgent consideration should be given to the im-

¹¹⁴ E/CN.4/1983/11, E/CN.4/1984/13 and Corr.1 and 2 and E/CN.4/1985/11

plementation, protection and promotion of both civil and political and economic, social and cultural rights;

4. *Reaffirms* that it is of paramount importance for the promotion of human rights and fundamental freedoms that Member States should undertake specific obligations through accession to, or ratification of, international instruments in this field and, consequently, that the standard-setting work within the United Nations system 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 these rights, wherever they occur;

7. *Expresses concern* at the present situation with regard to the achievement of the objectives and goals for establishing the new international economic order and 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 in achieving the full realization of the right to development;

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

11. *Considers* it necessary that all Member States promote international co-operation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of each people to choose freely its own socio-economic and political system and to exercise full sovereignty over its wealth and natural resources, subject to the principles referred to in article 1, paragraph 2, and article 25 of the International Covenant on Economic, Social and Cultural Rights, with a view to resolving international problems of an economic, social and humanitarian character;

12. *Expresses concern* at the disparity existing between the 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;

15. *Reaffirms once again* that, in order to facilitate the full enjoyment of all rights and complete 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 workers' participation in management, as well as the adoption of measures at the international level, including the establishment of the new international economic order;

16. *Again requests* the Commission on Human Rights to take the necessary measures to promote the right to development, and welcomes the decision of the Commission, in its resolution 1986/16 of 10 March 1986,³¹ concerning the future work of the Working Group of Governmental Experts on the Right to Development;

17. *Requests* the Secretary-General to transmit to the General Assembly at its forty-second session a report containing information on the progress made by the Working Group in the accomplishment of its tasks;

18. *Decides* to include in the provisional agenda of its forty-second 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".

97th plenary meeting
4 December 1986

41/132. Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States

The General Assembly,

Guided by the desire to promote a higher standard of living, full employment and conditions for economic and social development that foster the greatest possible use of human resources,

Reaffirming the principles enshrined in the Universal Declaration of Human Rights,²

Bearing in mind the right of States freely to choose and develop their political, social, economic and cultural systems, as well as their right to determine their laws and regulations,

Bearing in mind also that all peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit and upon international law, and that in no case may a people be deprived of its own means of subsistence,

Convinced that the full enjoyment by everyone of the right to own property alone as well as in association with others contributes to securing the goals of economic and social development enshrined in the Charter of the United Nations,

Convinced further that the right of everyone to own property alone as well as in association with others, as set forth in article 17 of the Universal Declaration of Human Rights, and as reaffirmed in paragraph 11 of the Declaration on the Rights of Disabled Persons¹¹⁵ and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women,⁶⁰ is of particular significance in fostering widespread enjoyment of other basic human rights,

Reaffirming, in accordance with article 29 of the Universal Declaration of Human Rights, that, in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

¹¹⁵ Resolution 3447 (XXX).