

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).

Recalling the principles associated with the right of individuals to own property described in the relevant articles of regional human rights instruments of the Organization of American States, the Organization of African Unity and the Council of Europe,

1. *Recognizes* that there exist in Member States many forms of legal property ownership, including private, communal, and state forms, each of which should contribute to ensuring effective development and utilization of human resources through the establishment of sound bases for political, economic and social justice;

2. *Emphasizes* the role of individual initiative as an invaluable resource in promoting economic and social development;

3. *Affirms*, in accordance with article 30 of the Universal Declaration of Human Rights, that nothing in the Declaration, including the right of everyone to own property alone as well as in association with others, may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth therein;

4. *Invites* the regional commissions to consider the relationship between the full enjoyment of 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 the economic and social development of Member States;

5. *Requests* the Secretary-General to prepare a report, taking into account the views of Member States, specialized agencies and other competent bodies of the United Nations system, within existing resources, on:

(a) The relationship between the full enjoyment by individuals of human rights and fundamental freedoms, in particular 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 the economic and social development of Member States;

(b) The role of 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, in ensuring the full and free participation of individuals in the economic and social systems of States;

6. *Invites* Member States to communicate to the Secretary-General their views on the subject of his report;

7. *Invites* the specialized agencies and other competent bodies of the United Nations system to communicate to the Secretary-General their views on the subject of his report;

8. *Requests* the Secretary-General to report his findings, through the Economic and Social Council, to the General Assembly at its forty-third session;

9. *Also requests* that a preliminary, oral report on this question be made to the General Assembly at its forty-second session;

10. *Invites* the Commission on Human Rights at its forty-third session to resume consideration of the right of everyone to own property alone as well as in association with others;

11. *Decides* to consider this question at its forty-second 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".

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41/133. Right to development

The General Assembly

Declares that:

The achievement of the right to development requires a concerted international and national effort to eliminate economic deprivation, hunger and disease in all parts of the world without discrimination in accordance with the Declaration and the Programme of Action on the Establishment of a New International Economic Order,⁶⁶ the International Development Strategy for the Third United Nations Development Decade¹¹⁶ and the Charter of Economic Rights and Duties of States;⁶⁵

To this end, international co-operation should aim at the maintenance of stable and sustained economic growth with simultaneous action to increase concessional assistance to developing countries, build world food security, resolve the debt burden, eliminate trade barriers, promote monetary stability and enhance scientific and technological co-operation.

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41/134. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights² and article 7 of the International Covenant on Civil and Political Rights,²² both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Recalling further its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority, as well as its resolution 40/128 of 13 December 1985,

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials¹¹⁷ and of the Principles of Medical Ethics,¹¹⁸

Convinced of the desirability of early finalization and subsequent adoption of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,¹¹⁹

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Determined to promote the full implementation of the prohibition, under international and national law, of the

¹¹⁶ Resolution 35/56, annex.

¹¹⁷ Resolution 34/169, annex.

¹¹⁸ Resolution 37/194, annex.

¹¹⁹ A/34/146, annex.