

own property, alone as well as in association with others, in ensuring the full and free participation of individuals in the economic and social systems of States,

1. *Recognizes* that there exist in Member States many forms of legal property ownership, including private, communal, social 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. *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;
3. *Considers* that further measures may be appropriate at the national level to ensure respect for the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property, as set forth in article 17 of the Universal Declaration of Human Rights;
4. *Urges* States, therefore, in accordance with their respective constitutional systems and with the Universal Declaration of Human Rights, to provide, where they have not done so, adequate constitutional and legal provisions to protect the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property;
5. *Requests* the Secretary-General to seek the views of Member States and of the specialized agencies and other competent bodies of the United Nations system on the means whereby and the degree to which the right to own property alone as well as in association with others contributes to the development of individual liberty and initiative, which serve to foster, strengthen and enhance the exercise of other human rights and fundamental freedoms;
6. *Suggests* that Member States and the specialized agencies and other competent bodies of the United Nations system, in the context of their remarks on the impact of the right to own property alone as well as in association with others, may wish to address, in particular, the right to own the following types of property:
 - (a) Personal property, including the residence of one's self and family;
 - (b) Economically productive property, including property associated with agriculture, commerce and industry;
7. *Requests* the Secretary-General, within existing resources, to report his findings to the General Assembly at its forty-fifth session;
8. *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".

75th plenary meeting
8 December 1988

43/124. The impact of property on the enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling the Universal Declaration of Human Rights,² the Declaration on Social Progress and Development⁸⁰ and the Declaration on the Right to Development,¹²⁰ which assign property a role in the exercise of human rights and fundamental freedoms,

Recalling also its resolution 42/115 of 7 December 1987 and Commission on Human Rights resolution 1987/18 of 10 March 1987⁶¹ and taking note of Commission resolution 1988/19 of 7 March 1988²⁷ on the impact of property on the enjoyment of human rights and fundamental freedoms,

Taking note of Commission on Human Rights resolution 1988/20 of 7 March 1988²⁷ on recovery of nations' assets illegally removed by violators of human rights,

Mindful of the obligations of States under the Charter of the United Nations to promote higher standards of living, full employment, conditions of economic and social progress and development and solutions of international economic, social, health and related problems,

Recognizing the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recognizing also that all peoples have the right to self-determination, by virtue of which they may freely determine their political status and may freely pursue their economic, social and cultural development,

Recognizing further that the right of all peoples to self-determination includes the exercise of their inalienable right to full sovereignty over all their natural wealth and resources,

Convinced that social justice is a prerequisite for lasting peace and that people can achieve complete fulfilment of their aspirations only within a just social order,

Convinced also that social development can be promoted by peaceful coexistence, friendly relations and co-operation among States with different social, economic or political systems,

Reaffirming that, in accordance with article 28 of the Universal Declaration of Human Rights, everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized,

Bearing in mind that in no case may human rights and fundamental freedoms be exercised contrary to the purposes and principles of the Charter of the United Nations or to the rights and freedoms of others,

Recalling its resolution 34/137 of 14 December 1979 on the role of the public sector in promoting the economic development of developing countries, in which it emphasized the importance of an efficient public sector in the development process,

Reaffirming that, in accordance with article 6 of the Declaration on Social Progress and Development, social progress and development require the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property, of forms of ownership of land and of the means of production which preclude any kind of exploitation of

¹²⁰ Resolution 41/128, annex.

man, ensure equal rights to property for all and create conditions leading to genuine equality among people,

1. *Takes note* of the report of the Secretary-General;¹¹⁹
2. *Reaffirms* the obligation of States to take effective steps with a view to achieving the full realization of civil, political, economic, social and cultural rights;
3. *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 the effective development and utilization of human resources through the establishment of sound bases for political, economic and social justice;
4. *Calls upon* States to ensure that their national legislation with regard to all forms of property shall preclude any impairment of the enjoyment of human rights and fundamental freedoms, without prejudice to their right freely to choose and develop their political, social, economic and cultural systems;
5. *Requests* the Secretary-General, in preparing his report to the General Assembly at its forty-fifth session, in accordance with resolution 43/123 of 8 December 1988, to take into account the present resolution;
6. *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".

*75th plenary meeting
8 December 1988*

43/125. 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 Rights²⁰ 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 and 42/119 of 7 December 1987,

Taking into account Commission on Human Rights resolution 1985/43 of 14 March 1985,⁵⁹

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,

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,

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 to that of 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 Political Declaration adopted by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare from 1 to 6 September 1986,¹²¹

Bearing in mind the stipulations of the final documents of the Conference of Foreign Ministers of the Non-

¹²¹ A/41/697-S/18392, annex I.