

41/126. Preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances

The General Assembly,

Recalling its resolutions 33/168 of 20 December 1978, 35/195 of 15 December 1980, 36/132 of 14 December 1981, 36/168 of 16 December 1981, 37/168 of 17 December 1982, 37/198 of 18 December 1982, 38/93 and 38/122 of 16 December 1983, 39/141 and 39/143 of 14 December 1984, 40/120, 40/121 and 40/122 of 13 December 1985 and other relevant provisions,

Recalling also the Declaration on the Control of Drug Trafficking and Drug Abuse of 14 December 1984,¹⁰³ in which it is stated, *inter alia*, that the eradication of trafficking in narcotic drugs is the collective responsibility of all States and that States shall utilize the legal instruments against the illicit production of and demand for, abuse of and illicit traffic in drugs and adopt additional measures to counter new manifestations of this crime,

Bearing in mind the Quito Declaration against Traffic in Narcotic Drugs of 11 August 1984,¹⁰⁴ the New York Declaration against Drug Trafficking and the Illicit Use of Drugs of 1 October 1984¹⁰⁵ and the Lima Declaration of 29 July 1985,¹⁰⁶ in which profound alarm was expressed at the seriousness of the problem,

Taking note of the recommendations adopted at the first Interregional Meeting of Heads of National Drug Law Enforcement Agencies,¹⁰⁷ held at Vienna from 28 July to 1 August 1986, which was convened pursuant to resolution 39/143 to examine in depth the most important aspects of the problem, including proposals that might be considered in the preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances,

Noting also the adoption by the Organization of American States of the Inter-American Programme of Action against the Illicit Use and Production of Narcotic Drugs and Psychotropic Substances and Traffic Therein at the Inter-American Specialized Conference on Traffic in Narcotic Drugs, held at Rio de Janeiro, Brazil, from 22 to 25 April 1986,

Recognizing that the preliminary draft convention prepared by the Secretary-General in compliance with Commission on Narcotic Drugs resolution 1 (S-IX) of 14 February 1986¹⁰⁸ constitutes a positive step in the preparation of the convention and that the elements included in the draft correspond to many of the interests of the international community in its efforts to confront the problem of illicit drug trafficking,

Emphasizing the importance of the contribution that will be made by the convention in supplementing the existing international instruments on the subject, such as the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961,¹⁰⁹ and the Convention on Psychotropic Substances of 1971,¹¹⁰

1. Expresses its appreciation to and commends the Secretary-General for his effective response to the request

made in paragraph 4 of Commission on Narcotic Drugs resolution 1 (S-IX), entitled "Guidance on the drafting of an international convention to combat drug trafficking", in which the Commission requested that a preliminary draft of a convention be prepared containing the elements specified in paragraph 3 of that resolution and that the draft be circulated to members of the Commission and other interested Governments;

2. Expresses its appreciation to the Member States that responded to the request contained in paragraph 5 of Commission on Narcotic Drugs resolution 1 (S-IX), in which they were invited to submit their comments on and/or proposed textual changes to the draft, and urges all Member States that have not yet done so to comply with this request as soon as possible;

3. Requests the Commission on Narcotic Drugs, through the Economic and Social Council, to continue at its thirty-second regular session its work on the preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances in the most expeditious manner, so that it may be effective, and widely acceptable, and enter into force at the earliest possible time;

4. Requests the Secretary-General to submit to the International Conference on Drug Abuse and Illicit Drug Trafficking, to be held in 1987, a report on progress achieved in the preparation of a new convention against illicit drug trafficking;

5. Once again urges all States that have not yet done so to ratify and to accede to the Single Convention on Narcotic Drugs of 1961, the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971;

6. Requests the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution.

97th plenary meeting
4 December 1986

41/127. International campaign against traffic in drugs

The General Assembly,

Conscious of the common concern that exists among peoples of the world regarding the devastating effects of drug abuse and illicit trafficking, which jeopardize the stability of democratic institutions and the well-being of mankind and which therefore constitute a grave threat to the security and an obstacle to the development of many countries,

Taking into consideration that the problem of illicit drug traffic negatively affects all producer, consumer and transit countries, and that there is an urgent need to take joint measures to combat it, including all aspects relating to illicit supply of, demand for and traffic in drugs,

Recalling its resolutions 39/142 of 14 December 1984 and 40/121 of 13 December 1985 and other relevant resolutions and decisions of the Economic and Social Council and of the Commission on Narcotic Drugs adopted to advance the international campaign against traffic in and abuse of narcotic drugs and psychotropic substances,

Considering that, despite the efforts made, the situation continues to deteriorate, owing, *inter alia*, to the growing interrelationship between drug trafficking and transnational criminal organizations that are responsible for much of the drug traffic and abuse of narcotic drugs and psychotropic substances and for the increase in violence, corruption and injury to society,

¹⁰³ Resolution 39/142, annex.

¹⁰⁴ A/39/407, annex.

¹⁰⁵ A/39/551 and Corr.1 and 2, annex.

¹⁰⁶ A/40/544, annex.

¹⁰⁷ See A/41/559, para. 10.

¹⁰⁸ See *Official Records of the Economic and Social Council. 1986. Supplement No. 3 (E/1986/23)*, chap. X, sect. A.

¹⁰⁹ United Nations, *Treaty Series*, vol. 976, No. 14152, p. 106.

¹¹⁰ *Ibid.*, vol. 1019, No. 14956, p. 176.

Acknowledging once more that the eradication of this scourge calls for acknowledgement of shared responsibility in combating simultaneously the problems of illicit demand, production, distribution and marketing, and that action designed to eliminate illicit drug cultivation, trafficking and consumption should be accompanied, where appropriate, by economic and social development programmes,

Recognizing that transit routes used by international drug traffickers are constantly shifting, and that an increasing number of countries in all regions of the world, and even entire areas because of their strategic geographical location and other considerations, are particularly vulnerable to the illicit transit traffic,

Considering that co-operative regional and international action is required to reduce the vulnerability of States and regions to the illicit transit traffic and to provide necessary support and assistance, particularly to countries hitherto unaffected,

Commending the work of the Commission on Narcotic Drugs, the International Narcotics Control Board and the Division of Narcotic Drugs of the Secretariat, as well as the positive action of the United Nations Fund for Drug Abuse Control in allocating funds to integrated rural development programmes, including substitution of illegal crops in the most severely affected areas,

Bearing in mind the recommendations adopted at the first Interregional Meeting of Heads of National Drug Law Enforcement Agencies,¹⁰⁷ held at Vienna from 28 July to 1 August 1986, which was convened pursuant to General Assembly resolution 39/143 of 14 December 1984 to examine in depth the most important aspects of the problem, including proposals that might be considered in the preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances,

Recognizing the importance of adherence to existing international legal instruments, including the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961,¹⁰⁹ and the Convention on Psychotropic Substances of 1971,¹¹⁰ the urgent need to encourage Member States that have not yet done so to ratify these instruments and the need for States that have already ratified them to implement fully their obligations under these instruments,

Taking note with appreciation of the efforts undertaken to date to implement its resolution 40/122 of 13 December 1985 on the convening in 1987 of an International Conference on Drug Abuse and Illicit Trafficking, at the ministerial level,

1. *Condemns unequivocally* drug trafficking in all its illicit forms—production, processing, marketing and consumption—as a criminal activity and requests all States to pledge their political will in a concerted and universal struggle to achieve its complete and final elimination;

2. *Urges* States to acknowledge that they share responsibility for combating the problem of illicit consumption, production and transit and therefore to encourage mutual collaboration in the struggle against drug trafficking, in accordance with the relevant international and national norms;

3. *Calls upon* all States to adopt appropriate preventive and/or punitive measures of a political, legal, economic and cultural nature so as to bring about social awareness of the pernicious effects of illicit drug use, and individual and collective rejection of all kinds of practices that facilitate such illegal use;

4. *Invites* States to use all possible means to discourage practices and domestic and foreign interests that promote the increased illicit production and consumption of drugs;

5. *Urges* the Governments of countries facing problems of drug abuse, particularly those most seriously affected, as part of their national strategy, to give priority to funding programmes that aim to create in society a deep respect for its own health, fitness and well-being and, taking into account cultural and social factors, to provide appropriate information and advice for all sectors of their communities with regard to drug abuse, its harmful effects and the ways in which appropriate community action can be promoted;

6. *Recommends* that concerted efforts be made to promote co-operation and co-ordination among States, particularly in the areas of communications and training, with a view to alleviating the problems associated with illicit transit traffic in narcotic drugs and psychotropic substances;

7. *Recommends also* that the Economic and Social Council request the Commission on Narcotic Drugs to consider convening, within available resources, a sessional working group to facilitate the exchange of information on experience gained by States in combating the illicit transit traffic in narcotic drugs and psychotropic substances;

8. *Encourages* Member States and the relevant bodies of the United Nations system, subject to observance of the principles of national sovereignty and jurisdiction, to provide economic assistance and technical co-operation to the developing countries most affected by the illicit production of, traffic in and use of narcotic drugs and psychotropic substances, in order to combat this problem;

9. *Expresses its appreciation* to the Secretary-General of the United Nations and to the Secretary-General of the International Conference on Drug Abuse and Illicit Trafficking for their valuable efforts in implementing General Assembly resolution 40/122;

10. *Acknowledges* the work of bodies of the United Nations system, in particular the drug-control bodies, in assisting efforts and initiatives designed to increase international co-operation, and recommends that this work be intensified;

11. *Takes note* of the recommendations of the first Interregional Meeting of Heads of National Drug Law Enforcement Agencies¹⁰⁷ and requests, in the light of comments from Governments and United Nations bodies, that they be considered by the Commission on Narcotic Drugs at its thirty-second session, so that the specific measures required for their implementation may be identified with a view to their inclusion, for possible adoption, in the report to be submitted to the Economic and Social Council at its next session;

12. *Reiterates its request* to the Secretary-General to continue to make the necessary arrangements for holding, within the framework of advisory services, interregional seminars on the experience gained within the United Nations system in integrated rural development programmes that include the substitution of surplus and/or illegal crops in affected areas, including the Andean region;

13. *Invites* all States that have not already done so to become parties to the Single Convention on Narcotic Drugs of 1961, the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971 and, in the mean time, to endeavour to comply with the provisions of these instruments;

14. *Acknowledges* the vital role played by the United Nations Fund for Drug Abuse Control and calls upon Member States to contribute and/or increase their contributions to the Fund;

15. *Requests* the Secretary-General to report to the General Assembly at its forty-second session on the implementation of the present resolution under the item entitled "International campaign against traffic in drugs".

97th plenary meeting
4 December 1986

41/128. Declaration on the right to development

The General Assembly,

Having considered the question of the right to development,

Decides to adopt the Declaration on the Right to Development, the text of which is annexed to the present resolution.

97th plenary meeting
4 December 1986

ANNEX

Declaration on the Right to Development

The General Assembly,

Bearing in mind the purposes and principles of the Charter of the United Nations relating to the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian nature, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom,

Considering that under the provisions of the Universal Declaration of Human Rights² everyone is entitled to a social and international order in which the rights and freedoms set forth in that Declaration can be fully realized,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights²² and of the International Covenant on Civil and Political Rights,²²

Recalling further the relevant agreements, conventions, resolutions, recommendations and other instruments of the United Nations and its specialized agencies concerning the integral development of the human being, economic and social progress and development of all peoples, including those instruments concerning decolonization, the prevention of discrimination, respect for and observance of, human rights and fundamental freedoms, the maintenance of international peace and security and the further promotion of friendly relations and co-operation among States in accordance with the Charter,

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

Recalling also the right of peoples to exercise, subject to the relevant provisions of both International Covenants on Human Rights,²⁴ full and complete sovereignty over all their natural wealth and resources,

Mindful of the obligation of States under the Charter to promote universal respect for and observance of human rights and fundamental freedoms for all without distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the elimination of the massive and flagrant violations of the human rights of the peoples and individuals affected by situations such as those resulting from colonialism, neo-colonialism, *apartheid*, all forms of racism and racial discrimination, foreign domination and occupation, aggression and threats against national sovereignty, national

unity and territorial integrity and threats of war would contribute to the establishment of circumstances propitious to the development of a great part of mankind,

Concerned at the existence of serious obstacles to development, as well as to the complete fulfilment of human beings and of peoples, constituted, *inter alia*, by the denial of civil, political, economic, social and cultural rights, and considering that all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of, respect for and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms,

Considering that international peace and security are essential elements for the realization of the right to development,

Reaffirming that there is a close relationship between disarmament and development and that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples and, in particular, those of the developing countries,

Recognizing that the human person is the central subject of the development process and that development policy should therefore make the human being the main participant and beneficiary of development,

Recognizing that the creation of conditions favourable to the development of peoples and individuals is the primary responsibility of their States,

Aware that efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order,

Confirming that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations,

Proclaims the following Declaration on the Right to Development:

Article 1

1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.

2. The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights,²⁴ the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.

Article 2

1. The human person is the central subject of development and should be the active participant and beneficiary of the right to development.

2. All human beings have a responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development.

3. States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.

Article 3

1. States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development.

2. The realization of the right to development requires full respect for the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations.