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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD WITH PARTICULAR REFERENCE TO COLONIAL AND
OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International Movement for
Fraternal Union among Races and Peoples, a non-governmental
organization in consultative status (category II)

The Secretary-General has received the following communication, which is
circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[7 March 1988]
VIOLATIONS OF THE RIGHT OF PEOPLES TO DEVELOPMENT

Violations of the right of peoples to development are violations of human rights and fundamental freedoms in the truest sense of the expression, for violating the right to development amounts to violating both civil and political and economic, social and cultural rights.

There are basically two kinds of violations of the right of peoples to development or of obstacles which impede their development.

A. Violations from outside a developing country, or external obstacles

These obstacles are the result of two basic causes:

1. The external debt of the southern countries

This debt was reckoned in 1986 as amounting to approximately $US 1,005,000 million, corresponding to 210 per cent of those countries' exports. The percentage is even higher in the case of the African countries, where it amounts to 270 per cent. It can be said that with the interest the southern countries are paying on the debt, they are paying back the entire initial capital borrowed.

2. The deterioration in the terms of trade

The deterioration in the terms of trade came about because of the declining share of the southern countries in world exports. In 1980, their share of those countries was 28 per cent; by 1986, it had dropped to 23 per cent. In the same year, the prices of raw materials, including petroleum, enabled the northern countries to make a profit of $US 100,100 million. This was accompanied by a decrease in the northern countries' real contribution to aid to development and a rise in interest rates, resulting in a reverse transfer of financial resources from the South to the North calculated in 1987 at over $US 31,000 million. The most serious aspect is that the countries of the South are continuing to absorb a significant share of imports from the North (44 per cent from Japan, 36 per cent from the United States of America and 19 per cent from the European Economic Community). In 1985, this situation created 10 million jobs in the North and the trade surplus of the northern countries amounted to more than $100,000 million.

The external obstacles violating the human rights of peoples, and more particularly their right to development, derive chiefly from the post-war institutions created at Bretton Woods at a time when the North had colonial empires in the South. When the southern countries attained their legal independence, those institutions were not properly equipped to confront the economic problems of post-colonialism. Those institutions should be reformed and strengthened for the establishment of the new international economic order and thus make it possible to build a future free of economic colonialism for all of the Earth's inhabitants.
B. Violations of the right of peoples to development from within developing countries or internal obstacles

It would be absurd to say that all obstacles or violations of the right of peoples to development come from the North. Several obstacles within many southern countries prevent even a minimum of progress in the area of development. Two types of countries are found in the South.

1. Southern countries whose Governments, together with their peoples, are making an effort to promote and protect human rights and particularly the right to development

These Governments, which are the authentic representatives of their peoples, use the limited resources available to them to eliminate illiteracy and contagious and endemic diseases and they also endeavour to ensure food-sufficiency. In short, they concern themselves with eliminating all the defects which impede the spiritual, physical, mental and intellectual development of their peoples.

2. Southern countries whose Governments violate human rights and fundamental freedoms and particularly the right to development

The majority of these Governments were formed following a coup d'état; their legitimacy of power comes from force and not from their peoples. These are Governments whose political approach is repression and the permanent use of torture or inhuman and degrading treatment. These are Governments which consider the entire country to be their private property.

In 1980, a group of individuals in Equatorial Guinea founded an enterprise named Exportadora-Importadora de Guinea Ecuatorial, Sociedad Anónima (EXIGENSA). When, in 1981, this enterprise began to make a profit a high-ranking army officer took over its management, expelled the owners and senior management and seized all its assets. Since that date (May 1981), EXIGENSA has belonged to that officer; the new owners of the company were unfortunately not capable of administering it, and today EXIGENSA has disappeared. The reasons given by the military officers who took possession of EXIGENSA were that the former owners were using the enterprise as a means of preparing and carrying out a coup d'état.

In March 1980, the Banco Exterior de Guinea Ecuatorial y España (GUINEXTEBANK) was founded in Equatorial Guinea, with a share capital of 10,000 shares at $US 100, subscribed and paid by the Banco Exterior de España (50 per cent) and the State of Equatorial Guinea (50 per cent), which was converted into bipkwele (the currency used in Equatorial Guinea at the time) when the company was formed and later re-converted into CPA francs (the currency now used in Equatorial Guinea). Last year, seven years after its foundation, GUINEXTEBANK encountered serious financial problems; an investigation was begun into the problems besetting the Bank. An audit carried out by Price Waterhouse on 31 March 1987, showed that 39.46 per cent of GUINEXTEBANK's deficit, or 3,282,265,000 CPA francs, was irrecoverable. On 31 October 1987, a team of employees from the Departments of Analysis and Planning, the General Inspectorate and the General Examiner of the Banco Exterior de España discovered that the provision for doubtful debts should be estimated at a total of 2,074,240,000 CPA francs.
Nearly two thirds of this provision relates to loans or financing granted to members of the Government of Equatorial Guinea and their relatives or to enterprises connected with them, for which the only security provided was their status. GUINEXTEBANK is currently in a serious liquidity crisis and, as a result, it is the common people of Equatorial Guinea who are the hardest hit by this situation. The people of Equatorial Guinea are suffering the consequences of violations of human rights and fundamental freedoms and particularly the right to development.

Violations of the right of people to development bring about poverty, illness, malnutrition, and hunger. It is the external and internal obstacles hindering the developing countries which are causing the peoples of the South to become desperate.

The international community should do something to avoid violations of human rights and fundamental freedoms and in particular the right of peoples to development.