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THIRD COMMITTEE  
Agenda item 12

### REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

#### Note by the Secretariat

By its decision 40/426 of 13 December 1985, the General Assembly, on the recommendation of the Third Committee, decided to defer until its forty-first session consideration of the draft resolution on the inadmissibility of exploitation or distortion of human rights issues for interference in the internal affairs of States (A/40/1007, para. 60) and the amendments thereto (A/40/1007, para. 61). The text of the draft resolution and the amendments thereto are reproduced below.

#### Draft resolution

##### "The General Assembly,

"Recalling its resolutions 2131 (XX) of 21 December 1965, containing the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, 2625 (XXV) of 24 October 1970 containing the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and 36/103 of 9 December 1981 containing the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, aimed at creating conditions for independent and free development of all countries and peoples,

"Noting that the international community should accord or continue to accord priority to the search for solutions to the massive and flagrant violation of human rights of peoples and persons as defined in its resolution 32/130 of 16 December 1977,

"Reaffirming that, in accordance with the Charter of the United Nations, no State has the right to intervene directly or indirectly for any reason whatsoever in the internal and external affairs of any State,

"Bearing in mind that, in accordance with the principles proclaimed by the Charter, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

"Reaffirming the obligation of States under the Charter to promote universal respect for and observance of human rights and freedoms, in accordance with the provisions of the Universal Declaration of Human Rights, 8/ the International Covenant on Economic, Social and Cultural Rights 9/ and the International Covenant on Civil and Political Rights, 9/

"Considering that full observance of the principle of non-intervention and non-interference in the internal affairs of States is of the greatest importance for the promotion of human rights and freedoms and for the fulfilment of the purposes and principles of the Charter,

"Being concerned by the persistent policy and practice of certain Governments of the exploitation or distortion of human rights issues for the purposes of interference in the internal affairs of States, and also for unrelated political ends,

"1. Reaffirms the duty of States to refrain from the exploitation or distortion of human rights issues as a means of interference in the internal affairs of States;

"2. Calls upon Governments to refrain from the exploitation or distortion of human rights issues for interference in internal affairs of States;

"3. Condemns defamatory campaign, vilification and hostile propaganda by the apartheid régimes of South Africa and Israel for the purpose of prolongation of their illegitimate occupation and brutal oppression of the indigenous population and for interfering in the internal affairs of the neighbouring States;

"4. Invites Governments to communicate their views on the measures necessary to prevent the distortion and exploitation of human rights issues so that they not be used for the purposes contrary to the principles of international law concerning friendly relations and co-operation among States;

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"8/ Resolution 217 A (III)."

"9/ Resolution 2200 A (XXI), annex."

"5. Requests the Secretary-General to submit a report to the General Assembly at its forty-first session, including the information submitted in accordance with paragraph 4 of the present resolution."

Amendments proposed to the draft resolution

"1. Title: delete all the words after the word 'issues' in the second line.

"2. Insert a new third preambular paragraph to read as follows:

'Reaffirming the fundamental principle of the Charter of the United Nations that all States have the duty not to threaten or use force against the sovereignty, political independence or territorial integrity of other States,'

"3. In the first line of the new fourth preambular paragraph, after the word 'Reaffirming' add the word 'further'.

"4. Reword the first and second lines of the new seventh preambular paragraph as follows:

'Considering that full observance of the principles of respect for sovereignty, political independence, territorial integrity of States, non-use of force and non-interference in the internal affairs of States are of the greatest importance'.

"The rest of sentence remains unchanged.

"5. Before the last preambular paragraph, insert the following new preambular paragraph:

'Concerned at the one-sided approach to the human rights questions, which increasingly ignores the need to accord priority to the mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of peoples to self-determination,'

"6. Amend the last preambular paragraph as follows:

'Concerned also at the evidence of exploitation or distortion of human rights issues,'

"7. Replace operative paragraph 1 with the following two operative paragraphs:

/...

'1. Reaffirms that human rights violations are a matter of concern to the United Nations;

'2. Reaffirms also that in approaching human rights questions the countries should continue to accord priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting from apartheid, all forms of racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of peoples to self-determination;'

"8. Renumber paragraph 2 and revise it to read as follows:

'3. Calls upon Governments to refrain from the exploitation or distortion of human rights issues;'

"9. Renumber the remaining paragraphs accordingly."

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