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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Third Committee (part II)

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I. INTRODUCTION

1. The General Assembly, at its 2353rd plenary meeting on 19 September 1975, allocated to the Third Committee certain parts of agenda item 12 entitled "Report of the Economic and Social Council". The following parts of the report 1/ were referred to the Third Committee: chapters III (sects. F, G, I, L, and M), IV (sects. A and C) and V.
2. At the same meeting, the General Assembly decided that:
 - (a) Chapter III (sects. G and L) might also be of interest to the Second and Fifth Committees;
 - (b) Chapters III (sect. F) and V (sects. A and B) might also be of interest to the Fifth Committee;
 - (c) Chapter IV (sects. A and C) might also be of interest to the Second Committee.
3. The Assembly expressed the view that:
 - (a) Chapter II (General discussion of international, economic and social policy, including regional and sectoral developments) might be of interest to the First and Third Committees;
 - (b) Chapter II, section A (Measures to be taken following the earthquake in Pakistan), section B (System-wide attack on the drought problems in the Sudano-Sahelian region, Ethiopia and Somalia) and section C (Aid to Indo-China), might be of interest to the Third Committee;
 - (c) Chapter IV, section B (Special session of the General Assembly devoted to development and international economic co-operation), might be of interest to the Third Committee.
4. The General Assembly agreed that the following subjects, which were dealt with in the report of the Economic and Social Council, should be taken up by the Committee as separate items or under other items on its agenda covering the same subjects:
 - (a) International Women's Year /item 75/ (chap. III, sect. F); 2/

1/ Official Records of the General Assembly, Thirtieth Session, Supplement No. 3 (A/10003).

2/ The General Assembly decided that the relevant recommendations and conclusions of the World Conference of the International Women's Year should be brought to the attention of the Second Committee in connexion with its consideration of agenda item 123 (Development and international economic co-operation, implementation of the decisions adopted by the General Assembly at its seventh special session).

(b) Report of the United Nations High Commissioner for Refugees [item 80], (chap. III, sect. M);

(c) World social situation [item 71] (chap. V, sect. A):

(d) Decade for Action to Combat Racism and Racial Discrimination [item 68 (a)] (chap. V, sect. B.1).

5. A summary of the discussion of the parts of the report of the Economic and Social Council concerning items 75, 80, 71 and 68 (a) is contained in the reports of the Third Committee on those items.

6. Sections of the report of the Economic and Social Council referred to the Third Committee which do not form part of separate items were as follows:

(a) Chapter III (Questions considered without reference to a sessional committee):

- (i) Section G (Regional co-operation);
- (ii) Section I (Non-governmental organizations);
- (iii) Section L (Programme budget for 1976-1977 and medium-term plan for 1976-1979);

(b) Chapter IV (Questions considered by the Economic Committee):

- (i) Section A (Mid-term review and appraisal of the International Development Strategy for the Second United Nations Development Decade and the implementation of the Declaration and the Programme of Action on the Establishment of a New International Economic Order);
- (ii) Section C (Population questions):
 - a. Section C.1 (Report of the Population Commission);
 - b. Section C.2 (Report of the Secretary-General on World Population Year, 1974);

(c) Chapter V (Questions considered by the Social Committee):

- (i) Section A (Social development questions):
 - a. Section A.1 (Report of the Commission for Social Development);
 - b. Section A.2 (Capital punishment);
 - c. Section A.3 (Contribution made by the co-operative movement to the objectives of the Second United Nations Development Decade);

/...

(ii) Section B (Human rights questions):

- a. Section B.2 (Report of the Commission on Human Rights);
- b. Section B.3 (Allegations regarding infringements of trade union rights);
- c. Section B.4 (Communications concerning the status of women);

(iii) Section C (Narcotic drugs):

- a. Section C.1 (Report of the International Narcotics Control Board);
- b. Section C.2 (Report of the Commission on Narcotic Drugs);
- c. Section C.3 (United Nations Fund for Drug Abuse Control).

7. The Committee considered, first, chapter V, section C (Narcotic drugs), of the Council's report at the 2142nd and 2143rd meetings, on 28 October. The summary records of those meetings (A/C.3/SR.2142 and 2143) contain the views of representatives of Member States and of the specialized agencies on section C of the chapter.

8. The Executive Director of the United Nations Fund for Drug Abuse Control and Chief of the Unit for Representation and Liaison Office for Inter-Agency Affairs and Co-ordination, on behalf of the President of the International Narcotics Control Board made introductory statements.

9. The Committee then considered chapter V, section B (Human rights questions), of the Council's report at the 2144th to 2159th and 2161st, 2162nd and 2164th to 2166th meetings, from 29 October to 21 November. The summary records of those meetings (A/C.3/SR.2144 to 2159 and 2161, 2162 and 2164 to 2166) contain the views of representatives of Member States and the specialized agencies on section B of the chapter.

10. At the 2144th meeting, on 29 October, the Director of the Division of Human Rights made an introductory statement regarding those parts of the report of the Economic and Social Council which concerned questions relating to the activities of the United Nations organs in the field of human rights. He also introduced the report of the Secretary-General on the protection of human rights in Chile (A/10295).

11. In accordance with the decision adopted by the General Assembly at its 2383rd meeting, on 10 October 1975, on the recommendation of the Committee (A/10284, para. 4), the Chairman-Rapporteur of the Ad Hoc Working Group on the Situation of Human Rights in Chile was invited to assist the Committee in its consideration of the progress report of the Ad Hoc Working Group (A/10285). The Chairman-Rapporteur of the Ad Hoc Working Group introduced the progress report at the 2144th meeting, on 29 October 1975. At the same meeting, the representative

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of Algeria requested that the statement of the Chairman-Rapporteur of the Ad Hoc Working Group be reproduced in extenso. After hearing a statement on the financial implications of the proposal, at its 2145th meeting, on 30 October, the Committee agreed to the request. The statement of the Chairman-Rapporteur was subsequently reproduced in document A/C.3/640. At the 2155th meeting, on 11 November, the representative of Chile requested that the possibility should be explored of publishing in extenso his statements made during the 2152nd and 2153rd meetings held, respectively, on 7 and 10 November 1975. In accordance with that request, the Committee had before it a statement by the Secretary-General (A/C.3/L.2176) containing the financial implications of publishing in extenso such statements, together with reference to the relevant passages of General Assembly resolutions on this issue. At the 2166th meeting, on 21 November, the representative of Chile requested the reproduction in extenso of his statements. At the same meeting, the Committee decided against the request of Chile by 30 votes to 19, with 56 abstentions.

II. CONSIDERATION OF THE DRAFT RESOLUTIONS

A. Narcotic drugs

12. At the 2142nd meeting, on 28 October, the Committee had before it texts of the following draft resolutions:

(a) Draft resolution A/C.3/L.2164, entitled "1971 Convention on Psychotropic Substances", which was sponsored by Denmark, Egypt, Finland, France, Germany (Federal Republic of), Iran, Madagascar, Norway, the Philippines, Sweden, Turkey, the United States of America, Venezuela and Yugoslavia, later joined by Costa Rica, Greece and Liberia, and read as follows:

"The General Assembly,

"Recalling its resolution 3147 (XXVIII) of 14 December 1973 stressing the importance to international drug control of universal accession to the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances and the 1972 Protocol amending the Single Convention,

"Expressing its satisfaction that during 1975 several additional countries have become Parties to these Treaties,

"Mindful, however, that the Convention on Psychotropic Substances has not yet entered into force,

"Convinced that entry into force of this Convention would constitute an important step towards the establishment of effective international control of the licit trade and the prevention of illicit traffic in psychotropic substances, and

"Recognizing the need to maintain momentum in the systematic strengthening of the international drug control system,

"1. Expresses its hope that the 1971 Convention on Psychotropic Substances will soon enter into force;

"2. Urges all countries not yet Parties to this Convention to take urgent action to adhere to it; and

"3. Requests the Secretary-General to transmit this appeal to the Governments of these countries."

(b) Draft resolution A/C.3/L.2165, entitled "1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961", which was sponsored by Australia, Germany (Federal Republic of), France, Norway, Singapore, Sweden, the United States of America and Venezuela, later joined by Costa Rica, Liberia and Thailand, and read as follows:

"The General Assembly,

"(a) Aware that the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961, has entered into force,

"(b) Mindful that this Protocol increases the responsibilities of the International Narcotics Control Board (hereinafter called the Board), inter alia, with a view, in collaboration with Governments to ensuring availability world-wide of narcotic drugs required for medical and scientific purposes, while at the same time preventing illicit cultivation, production and manufacture of, and illicit trafficking in and use of such drugs,

"(c) Noting that all measures taken by the Board under the Convention are to be those most consistent with the intent to further Governments' co-operation with the Board and to provide the mechanism for a continuing dialogue between Governments and the Board in order to assist and facilitate effective national action to attain the aims of the Convention, and

"(d) Noting also that the 1972 Protocol specifically empowers the Board to recommend to the competent United Nations organs and to the specialized agencies that technical or financial assistance, or both, be provided to Governments in support of their efforts to carry out their obligations under the Convention,

"1. Invites Governments to co-operate fully with the Board in its efforts to carry out its increased responsibilities;

"2. Invites the Secretary-General to continue to provide the support necessary to enable the Board and its secretariat to assume these new responsibilities; and,

"3. Requests the competent United Nations organs, especially the United Nations Fund for Drug Abuse Control, and the specialized agencies to give particular attention to recommendations made by the Board concerning the provision of technical and financial assistance to support Governments' efforts to carry out their obligations under the Single Convention."

(c) Draft resolution A/C.3/L.2166, entitled "Adequate priority for narcotics control", which was sponsored by Canada, Denmark, Egypt, Germany (Federal Republic of), Pakistan, Singapore, Sweden, Turkey, the United States of America and Venezuela, later joined by Costa Rica, India, Liberia, Thailand and Togo, and read as follows:

"The General Assembly,

"Bearing in mind the increasing responsibilities entrusted to the United Nations through treaties for the control of narcotic drugs and psychotropic substances,

/...

"Mindful of the deep concern of a large number of Governments over the growing threat caused by the spread of drug abuse in certain parts of the world, as confirmed by the overwhelming support accorded to its resolutions and those adopted by the Economic and Social Council during the last years,

"Recognizing that these developments have led to a considerable increase of work to be carried out by the competent United Nations bodies under their regular and statutory obligations,

"Recalling its resolution 3279 (XXIX) of 10 December 1974, in which it also noted with appreciation the activities of the International Narcotics Control Board and of the Commission on Narcotic Drugs in the field of the control of illicit traffic and the struggle against the abuse of drugs,

"Having regard to Economic and Social Council resolution 1910 (LVII) of 2 August 1974 regarding priorities in the economic, social and human rights fields,

"Requests the Secretary-General, in preparing and presenting his drafts for the programme budget and the medium-term plan, to give particular attention to the resources requested for the competent United Nations bodies and their secretariats, in view of this increased work in drug control, in order to ensure that in the light of the importance attributed to these activities by the General Assembly and the Economic and Social Council adequate priority be given and the necessary resources allocated."

(d) Draft resolution A/C.3/L.2167, entitled "United Nations Fund for Drug Abuse Control", which was sponsored by Afghanistan, Canada, Iran, Norway, Pakistan, Singapore, Turkey, the United States of America and Venezuela, later joined by Costa Rica, Liberia, Thailand and Togo, and read as follows:

"The General Assembly,

"(a) Recalling its resolution 3145 (XXVIII) of 14 December 1973 concerning the urgent need for adequate financial resources to be provided to enable the United Nations Fund for Drug Abuse Control to continue and expand its activities to assist the developing countries concerned in carrying out their respective narcotics control programmes, and

"(b) Aware that the Fund's financial resources remain insufficient in the face of the continuing serious menace of drug abuse,

"1. Notes with satisfaction that the Fund, in collaboration with Governments and international organizations, has undertaken a number of activities which have contributed to the strengthening of countries' drug control programmes and thereby significantly advanced international efforts to reduce drug abuse and illicit traffic in drugs;

"2. Endorses Economic and Social Council resolution 1937 (LVIII) of 6 May 1975 appealing to Governments for generous and sustained contributions to the Fund;

/...

"3. Requests the Secretary-General to communicate this renewed appeal to Governments; and

"4. Further requests the Secretary-General and the Fund's Executive Director to use their good offices to the maximum extent possible to promote early and generous responses to this appeal."

13. While introducing draft resolution A/C.3/L.2164, at the 2143rd meeting, Sweden, on behalf of the co-sponsors, revised operative paragraph 2 of the draft resolution to read:

"2. Urges all countries, in particular those which are directly concerned in the manufacturing, production of and trade in psychotropic substances, not yet parties to this Convention to take urgent action to adhere to it;".

14. The Committee then voted on the draft resolutions as follows:

(a) Draft resolution A/C.3/L.2164, as revised, was adopted by 107 votes to none, with 2 abstentions (see para. 34 below, draft resolution I);

(b) Draft resolution A/C.3/L.2165 was adopted by 100 votes to none, with 9 abstentions (see para. 34 below, draft resolution II);

(c) Draft resolution A/C.3/L.2166 was adopted by 98 votes to none, with 10 abstentions (see para. 34 below, draft resolution III);

(d) Draft resolution A/C.3/L.2167 was adopted by 102 votes to none, with 9 abstentions (see para. 34 below, draft resolution IV).

B. Draft Declaration on the Rights of Disabled Persons

15. At the 2147th meeting, on 3 November, the representative of Belgium introduced a draft declaration, entitled Declaration on the Rights of Disabled Persons (A/C.3/L.2168), which was sponsored by Algeria, Belgium, Burundi, Colombia, Costa Rica, Egypt, France, Germany (Federal Republic of), Indonesia, Iran, Italy, Japan, Luxembourg, Mali, Mexico, the Netherlands, New Zealand, Nigeria, Pakistan, Peru, the Philippines, Romania, Rwanda, Senegal, Singapore, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zaire, later joined by Austria, Bangladesh, Canada, Chad, Cyprus, Greece, Guinea, Ireland, Kenya, Liberia, Mauritania, Morocco, Nepal, Oman, Spain, Swaziland, Thailand, Togo, and Turkey. The text read as follows:

"The General Assembly,

"Mindful of the pledge made by the States Members of the United Nations, under the Charter, to take joint and separate action in co-operation with the Organization to promote higher standards of living, full employment and conditions of economic and social progress and development,

/...

"Reaffirming its faith in human rights and fundamental freedoms and in the principles of peace, of the dignity and worth of the human person and of social justice proclaimed in the Charter,

"Recalling the principles of the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Declaration of the Rights of the Child and the Declaration of the Rights of Mentally Retarded Persons, as well as the standards already set for social progress in the constitutions, conventions, recommendations and resolutions of the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Children's Fund and other organizations concerned,

"Emphasizing that the Declaration on Social Progress and Development has proclaimed the necessity of protecting the rights and assuring the welfare and rehabilitation of the physically and mentally disadvantaged,

"Bearing in mind the necessity of assisting disabled persons to develop their abilities in the most varied fields of activities and of promoting their integration as far as possible in normal life,

"Aware that certain countries, at their present stage of development, can devote only limited efforts to this end,

"Proclaims this Declaration on the Rights of Disabled Persons and calls for national and international action to ensure that it will be used as a common basis and frame of reference for the protection of these rights,

"1. The term 'disabled person' means any person unable to ensure by himself (or herself) wholly or partly the necessities of his (or her) individual and/or social life, as a result of a deficiency, either congenital or not, in his (or her) physical or mental capabilities;

"2. Disabled persons shall enjoy all the rights set forth in this Declaration. These rights shall be granted to all disabled persons without any exception whatsoever and without distinction or discrimination on the basis of race, colour, sex, language, religion, political or other opinions, national or social origin, state of wealth, birth or any other situation applying either to the disabled person or himself or to his (or her) family;

"3. Disabled persons have the inherent right to respect for their human dignity;

"Disabled persons, whatever the origin, nature and seriousness of their handicaps and disabilities, have the same fundamental rights as their fellow-citizens of the same age, which implies first and foremost the right to enjoy a decent life, as normal and full as possible;

"4. Disabled persons are entitled to the measures designed to enable them to become as self-reliant as possible;

/...

"5. Disabled persons have the right to the medical, psychological and functional treatment, schooling, vocational training, aid, counselling and other services which will enable them to develop their capabilities and skills to the maximum;

"6. Disabled persons have the right to economic and social security and to a decent level of living;

"They have the right, according to their capabilities, to engage in a trade or, in the absence thereof, in a useful occupation;

"7. Disabled persons have the right to live with their families or with foster parents and to participate in all social, creative or recreational activities compatible with their condition;

"No disabled person shall be subjected, as far as his (or her) residence is concerned, to differential treatment other than that required by his (or her) condition or by the improvement which he (or she) may derive therefrom. If the stay of a disabled person in a specialized establishment is indispensable, the environment and living conditions therein shall be as close as possible to those of the normal life of a person of his (or her) age;

"8. Disabled persons shall be protected against all exploitation, all regulations and all treatment of a discriminatory, abusive or degrading nature;

"9. Disabled persons shall be able to avail themselves of qualified legal aid when such aid proves indispensable for the protection of their persons and property;

"If judicial proceedings are instituted against them, the legal procedure applied shall take their degree of responsibility fully into account;

"10. The family and the community of a disabled person shall be fully informed of his (or her) rights, by all appropriate means."

16. The amendments submitted to the draft declaration were the following:

(a) An amendment by Iceland (A/C.3/L.2169) reading:

"After operative paragraph 3, add the following paragraph and renumber the subsequent paragraphs accordingly:

"'Disabled persons have the same civil and political rights as other human beings: article 7 of the Declaration of the Rights of Mentally Retarded Persons applies to any possible limitation or suppression of those rights for mentally disabled persons';

/...

(b) An amendment by Finland (A/C.3/L.2171) reading:

"After operative paragraph 6, add the following new paragraph and renumber the subsequent paragraphs accordingly:

"'To guarantee the right of disabled persons to a meaningful life, their special needs should be taken into consideration already at the planning stage of all functions of society';"

(c) An amendment by Yugoslavia (A/C.3/L.2170) reading:

"At the end of paragraph 8, add the following:

"'Organizations of disabled persons shall be consulted in all matters regarding human and other rights of disabled persons'."

17. At the 2154th meeting, on 11 November, the representative of Belgium introduced a revised text of the draft declaration (A/C.3/L.2168/Rev.1) which took account of the amendments submitted, and which he further revised orally. The revised draft declaration was then co-sponsored by Finland, Iceland and Yugoslavia.

18. At the 2155th meeting, on 11 November, the Committee adopted the draft declaration (A/C.3/L.2168/Rev.1) in its revised form, as orally revised, without a vote (see para. 34 below, draft resolution V).

C. Protection of human rights in Chile

19. At the 2154th meeting, on 11 November, the representative of the Netherlands introduced a draft resolution, entitled "Protection of human rights in Chile" (A/C.3/L.2172), which was sponsored by Algeria, Australia, Austria, Bulgaria, the Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Equatorial Guinea, Finland, the Gambia, Greece, Guinea, Guinea-Bissau, Guyana, Ireland, Jamaica, Madagascar, Mali, Mexico, Mongolia, the Netherlands, Norway, Poland, Portugal, Senegal, Somalia, Sweden, the Upper Volta and Yugoslavia, joined later by the Byelorussian Soviet Socialist Republic, Hungary, Iraq, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics. The text read as follows:

"The General Assembly,

"Conscious of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all,

"Recalling that, in accordance with the Universal Declaration of Human Rights, everyone has the right to life, liberty and security of person and the right not to be subjected to arbitrary arrest, detention or exile or to torture or cruel, inhuman or degrading treatment or punishment,

/...

"Recalling that in its resolution 3219 (XXIX) of 6 November 1974, the General Assembly expressed its deepest concern about reported constant and flagrant violations of basic human rights and fundamental freedoms in Chile, and urged the authorities in that country to take all necessary steps to restore and safeguard them,

"Taking note that the eighteenth session of the General Conference of UNESCO, the sixtieth session of the General Conference of the ILO, the World Conference of the International Women's Year and the twenty-eighth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities called for the cessation of violations of human rights and fundamental freedoms in Chile,

"Noting that in its resolution 8 (XXXI) of 27 February 1975, the Commission on Human Rights, after expressing its serious concern about the continuing reports of violations of human rights in Chile, decided to establish an ad hoc working group to inquire into the present situation of human rights in said country on the basis of all available evidence including a visit to Chile, and appealed to the authorities of Chile to extend its full co-operation to the group,

"Having considered the report of the Secretary-General under resolution 3219 (XXIX) and in particular the progress report submitted by the Ad Hoc Working Group established by the Commission on Human Rights,

"Convinced that the progress report contains evidence on which to conclude that flagrant and constant violations of basic human rights and fundamental freedoms have taken place and continue to take place in Chile,

"Expressing its appreciation to the Chairman and members of the Ad Hoc Working Group for their report which has been prepared in a commendable manner, notwithstanding the refusal of the Chilean authorities to permit the Group to visit the country,

"Reaffirming its condemnation of all forms of torture and cruel, inhuman or degrading treatment or punishment,

"1. Expresses its profound distress at the constant, flagrant violations of human rights, including the institutionalized practice of torture, cruel, inhuman or degrading treatment or punishment, arbitrary arrest, detention and exile, to which the progress report brings additional evidence, which have taken place and, according to existing evidence, continue to take place in Chile;

"2. Calls on the Chilean authorities to take, without delay, all necessary measures to restore and safeguard basic human rights and fundamental freedoms, and fully to respect the provisions of the international instruments to which Chile is a party and to this end to ensure that:

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"(a) The stage of siege or emergency is not used for the purpose of violating human rights and fundamental freedoms, contrary to article 4 of the International Covenant on Civil and Political Rights;

"(b) Adequate measures are taken to end the institutionalized practice of torture and other forms of cruel inhuman or degrading treatment or punishment in full respect of article 7 of the International Covenant on Civil and Political Rights;

"(c) The rights of all persons to liberty and security of person, in particular those who have been detained without charge or in prison solely for political reasons, as provided for in article 9 of the International Covenant on Civil and Political Rights are fully guaranteed and steps are taken to clarify the status of those individuals who are not accounted for;

"(d) No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed, contrary to article 15 of the International Covenant on Civil and Political Rights;

"(e) No one, in accordance with article 15 (2) of the Universal Declaration of Human Rights shall be arbitrarily deprived of Chilean nationality;

"(f) The right to freedom of association, including the right to form and join trade unions shall be respected in accordance with article 22 of the International Covenant on Civil and Political Rights;

"(g) The right to intellectual freedoms as provided for in article 19 of the International Covenant on Civil and Political Rights shall be guaranteed;

"3. Deplores the refusal of the Chilean authorities to allow the Ad Hoc Working Group of the Commission on Human Rights to visit the country, notwithstanding previous solemn assurances given by them in this regard and urges them to honour these assurances;

"4. Invites the Commission on Human Rights to extend the mandate of the Ad Hoc Working Group as presently constituted, established under resolution 8 (XXXI), to enable it to report to the General Assembly at its thirty-first session and to the Commission on Human Rights at its thirty-third session on the situation on human rights in Chile and in particular any developments which occur to re-establish respect for human rights and fundamental freedoms;

"5. Requests the President of the thirtieth session of the General Assembly and the Secretary-General of the United Nations to assist in any way they may deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile."

20. At the 2155th meeting, on 11 November, the draft resolution (A/C.3/L.2172) was adopted by a roll-call vote of 88 to 11, with 20 abstentions (see para. 34 below, draft resolution VI). The voting was as follows:

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- In favour: Afghanistan, Algeria, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Equatorial Guinea, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Iran, Ireland, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lesotho, Libyan Arab Republic, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Senegal, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Yemen, Yugoslavia, Zambia.
- Against: Argentina, Bolivia, Brazil, Chile, Dominican Republic, El Salvador, Guatemala, Nicaragua, Panama, Paraguay, Uruguay.
- Abstaining: Barbados, Costa Rica, Egypt, Fiji, Honduras, Indonesia, Japan, Lebanon, Liberia, Malaysia, Nepal, Niger, Papua New Guinea, Saudi Arabia, Singapore, Spain, Uganda, United Republic of Cameroon, Venezuela, Zaire.

D. Human rights of migrant workers

21. At the 2157th meeting, on 13 November, the representative of Mexico introduced a draft resolution, entitled "Measures to ensure human rights and dignity of all migrant workers" (A/C.3/L.2174), which was sponsored by Algeria, Colombia and Mexico, later joined by Mali, Senegal and Yemen. The text read as follows:

"The General Assembly,

"Considering the Convention on Diplomatic Relations and the Convention on Consular Relations,

"Considering also its resolution 2920 (XXVII) on the exploitation of labour through clandestine and illicit traffic,

"Recalling its resolution 3224 (XXIX) on measures to better the conditions of migrant workers,

"Recalling also resolution 1749 (LIV) of the Economic and Social Council, which expresses to the United Nations Organization the need to continue examining the situation of migrant workers, taking into account economic, political, social and cultural factors in respect to human rights and dignity,

/...

"Noting with satisfaction the awareness of the international community of this problem and the necessity to protect the human rights of migrant workers,

"Taking into consideration the urgent need carefully to examine the problem of migrant workers who surreptitiously enter another country to obtain work,

"1. Calls upon the United Nations organs active in the field of human rights to continue devoting their attention to this question;

"2. Requests the United Nations organs and the specialized agencies concerned, to utilize in all official documents the term 'non-documented migrant workers' to define those workers that illegally and/or surreptitiously enter another country to obtain work;

"3. Appeals to Governments of Member States to remind their competent administrative authorities of their obligation to respect the human rights of all migrant workers including those that are non-documented;

"4. Urges Governments of Member States to grant all facilities and help to diplomatic and consular agents accredited in their countries so that they can fulfil their functions in relation to the protection and defence of the human rights of migrant workers, including those that are non-documented."

22. At the 2159th meeting, on 14 November, the representative of Mexico introduced a revised text of the draft resolution (A/C.3/L.2174/Rev.1) which took into account various proposals made during the consideration of the text. The revised text read as follows:

"The General Assembly,

"Considering the Convention on Diplomatic Relations and the Convention on Consular Relations,

"Considering also its resolution 2920 (XXVII) on the exploitation of labour through clandestine and illicit traffic,

"Recalling its resolution 3224 (XXIX) on measures to better the conditions of migrant workers,

"Recalling also resolution 1749 (LIV) of the Economic and Social Council, which expresses to the United Nations Organization the need to continue examining the situation of migrant workers, taking into account economic, political, social and cultural factors in respect to human rights and dignity,

"Bearing in mind the ILO's Convention (No. 143) 1975 and Recommendation (No. 151) 1975 which set out policies to abolish the employment of migrants in abusive conditions, and to extend to migrant workers equality of treatment with national workers,

/...

"Noting with satisfaction the awareness of the international community of this problem and the necessity to protect the human rights of migrant workers,

"Taking into consideration the urgent need carefully to examine the problem of migrant workers who surreptitiously enter another country to obtain work,

"1. Calls upon the United Nations organs active in the field of human rights to continue devoting their attention to this question;

"2. Requests the United Nations organs and the specialized agencies concerned, to utilize in all official documents the term 'non-documented or irregular migrant workers' to define those workers that illegally and/or surreptitiously enter another country to obtain work;

"3. Appeals to Governments of Member States to remind their competent administrative authorities of their obligation to respect the human rights of all migrant workers including those that are non-documented or irregular;

"4. Urges Governments of Member States to grant all facilities and help to diplomatic and consular agents accredited in their countries so they can fulfil their functions in relation to the protection and defence of the human rights of migrant workers, including those that are non-documented or irregular."

23. At the same meeting, the sponsors of the draft resolution further revised it by deleting the fifth preambular paragraph. The Committee then adopted the revised text by 111 votes to none, with 3 abstentions (see para. 34 below, draft resolution VII).

E. Missing persons in Cyprus

24. At the 2156th meeting, on 12 November 1975, the representative of Cyprus introduced a draft resolution, entitled "Missing persons in Cyprus" (A/C.3/L.2173), which was sponsored by Cuba, Cyprus, Dahomey, Guyana and Panama, later joined by Malta. The text read as follows:

"The General Assembly,

"Recalling its resolution 3212 (XXIX),

"Noting resolution 4 (XXXI) of the Commission on Human Rights,

"Gravely concerned about the fate of over 2,000 Cypriots who are missing as a result of armed conflict in Cyprus,

"Appreciating the work of the International Committee of the Red Cross in this field,

"Reaffirming the basic human need of families in Cyprus to be informed about missing relatives,

/...

"1. Requests the Secretary-General to exert every effort in assisting the tracing and accounting for missing persons as a result of armed conflict in Cyprus;

"2. Requests the Secretary-General to provide the Commission on Human Rights at its thirty-second session with information relevant to the implementation of the present resolution."

25. At the 2159th meeting, on 14 November, the representative of Turkey introduced the following amendments (A/C.3/L.2178) to the draft resolution:

(a) The first amendment proposed the deletion of the first preambular paragraph;

(b) The second amendment proposed that the third preambular paragraph should read as follows:

"Deeply concerned about the fate of missing persons as a result of violence and conflict in Cyprus";

(c) The third amendment proposed that operative paragraph 1 be replaced by the following:

"Urges appropriate international organizations like the International Committee of the Red Cross to continue their efforts in assisting the tracing and accounting for missing persons as a result of conflict in Cyprus";

(d) The fourth amendment proposed the deletion of operative paragraph 2.

26. Also at the 2159th meeting, the representative of Cyprus orally revised the text. The revised text (A/C.3/L.2173/Rev.1), which was later submitted to the Committee, read as follows:

"The General Assembly,

"Recalling its resolution 3212 (XXIX),

"Noting resolution 4 (XXI) of the Commission on Human Rights,

"Gravely concerned about the fate of a considerable number of Cypriots who are missing as a result of armed conflict in Cyprus,

"Appreciating the work of the International Committee of the Red Cross in this field,

"Reaffirming the basic human need of families in Cyprus to be informed about missing relatives,

"1. Requests the Secretary-General to exert every effort in close co-operation with the International Committee of the Red Cross in assisting the tracing and accounting for missing persons as a result of armed conflict in Cyprus;

/...

"2. Requests the Secretary-General to provide the Commission on Human Rights at its thirty-second session with information relevant to the implementation of the present resolution."

27. At the same meeting, at the conclusion of the debate, certain representatives proposed that the voting, both on the amendments as well as on the draft resolution should be postponed to enable delegations to study them thoroughly. The Committee agreed to the above proposal.

28. At the 2164th meeting, on 19 November, following a procedural debate, the Committee voted on whether or not it was in the process of voting on the amendments and on the draft resolution. By 53 votes to 8, with 57 abstentions, the Committee decided that it had started the process of voting on those texts. The result of the vote, which was taken by roll-call, was as follows:

In favour: Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Ecuador, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Ireland, Italy, Ivory Coast, Jamaica, Luxembourg, Malta, Mongolia, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Sri Lanka, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire.

Against: Afghanistan, Bahrain, Iran, Iraq, Jordan, Pakistan, Saudi Arabia, Turkey.

Abstaining: Algeria, Argentina, Bahamas, Barbados, Bhutan, Bolivia, Brazil, Burma, Chad, Chile, China, Costa Rica, Democratic Yemen, Dominican Republic, Egypt, Fiji, Indonesia, Israel, Japan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Papua New Guinea, Philippines, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, Zambia.

29. At the same meeting, the Committee then voted on the draft amendments (A/C.3/L.2178) and on the draft resolution (A/C.3/L.2173/Rev.1) as follows:

(a) The first amendment was rejected by a recorded vote of 62 to 10, with 47 abstentions. The voting was as follows:

/...

- In favour: Afghanistan, Indonesia, Morocco, Iran, Jordan, Mozambique, Oman, Pakistan, Saudi Arabia, Turkey.
- Against: Algeria, Austria, Bahrain, Belgium, Bolivia, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Ireland, Italy, Jamaica, Luxembourg, Mali, Malta, Mongolia, Netherlands, New Zealand, Niger, Norway, Panama, Poland, Portugal, Senegal, Spain, Sri Lanka, Sweden, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia.
- Abstaining: Argentina, Australia, Bahamas, Barbados, Bhutan, Brazil, Burma, Chad, Chile, China, Colombia, Egypt, Israel, Ivory Coast, Japan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mexico, Nepal, Nigeria, Papua New Guinea, Peru, Philippines, Romania, Rwanda, Sierra Leone, Singapore, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Zaire, Zambia.

(b) The second amendment was rejected by a recorded vote of 26 to 20, with 73 abstentions. The voting was as follows:

- In favour: Afghanistan, Algeria, Bahrain, Egypt, Gabon, Guinea, India, Indonesia, Jordan, Libyan Arab Republic, Malaysia, Mali, Mexico, Morocco, Mozambique, Oman, Pakistan, Saudi Arabia, Tunisia, Turkey.
- Against: Botswana, Byelorussian Soviet Socialist Republic, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Gambia, German Democratic Republic, Greece, Grenada, Guatemala, Guyana, Hungary, Jamaica, Malta, Mongolia, Niger, Panama, Poland, Sri Lanka, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Canada, Chad, Chile, China, Colombia, Democratic Yemen, Denmark, Fiji, Finland, France, Germany (Federal Republic of), Ghana, Iceland, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Nepal, Netherlands, New Zealand, Nigeria, Norway, Papua New Guinea, Peru, Philippines, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

(c) The third amendment was rejected by a recorded vote of 33 to 17, with 70 abstentions. The voting was as follows:

In favour: Afghanistan, Egypt, Guinea, Indonesia, Iran, Jordan, Madagascar, Malaysia, Morocco, Nigeria, Oman, Pakistan, Saudi Arabia, Tunisia, Turkey, Uruguay, Venezuela.

Against: Bolivia, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guyana, Hungary, Ivory Coast, Malta, Mexico, Mongolia, Niger, Panama, Poland, Portugal, Sri Lanka, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

Abstaining: Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bhutan, Brazil, Burma, Canada, Chad, Chile, China, Colombia, Democratic Yemen, Denmark, Fiji, Finland, France, Germany (Federal Republic of), Guatemala, Iceland, India, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Malawi, Mali, Mauritania, Mozambique, Nepal, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Philippines, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Zaire, Zambia.

(d) The fourth amendment was rejected by a recorded vote of 42 to 7, with 70 abstentions. The voting was as follows:

In favour: Iran, Jordan, Morocco, Oman, Pakistan, Saudi Arabia, Turkey.

Against: Algeria, Botswana, Byelorussian Soviet Socialist Republic, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, India, Jamaica, Mali, Malta, Mexico, Mongolia, Niger, Panama, Poland, Senegal, Sri Lanka, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Upper Volta, Uruguay, Venezuela, Yugoslavia.

Abstaining: Afghanistan, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Canada, Chad, Chile, China, Colombia, Denmark, Finland, France, Germany (Federal Republic of), Iceland, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mozambique, Nepal, Netherlands, New Zealand, Nigeria, Norway, Papua New Guinea, Peru, Philippines, Portugal, Romania, Rwanda, Sierra Leone, Singapore, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Zaire, Zambia.

(e) The draft resolution, in its revised form was adopted by a recorded vote of 98 to one, with 21 abstentions (see para. 34 below, draft resolution VIII). The voting was as follows:

In favour: Algeria, Argentina, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Ireland, Italy, Ivory Coast, Jamaica, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Malawi, Malaysia, Mali, Malta, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

/...

Against: Turkey.

Abstaining: Afghanistan, Australia, Bahamas, Chad, China, Indonesia, Iran, Israel, Japan, Jordan, Madagascar, Mauritania, Morocco, Oman, Pakistan, Papua New Guinea, Saudi Arabia, Tunisia, Uganda, United Republic of Cameroon, Zaire.

F. Amnesty for political prisoners

30. At the 2156th meeting, on 12 November, the representative of the United States of America introduced a draft resolution entitled "Amnesty for political prisoners" (A/C.3/L.2175). The text read as follows:

"The General Assembly

"Noting with satisfaction that, in spite of continuing denial of the right of self-determination in certain areas, great progress has been achieved towards eliminating colonialism and ensuring the right of self-determination for peoples everywhere,

"Believing that the lessening of international tensions makes even more promising renewed efforts to assist people to exercise their human rights,

"Deeply disturbed that there are frequent reports that many persons, including members of national parliaments, writers and publishers, persons who have sought through peaceful means to express views at variance with those held by their Governments or to oppose racial discrimination and persons who have sought to provide legal assistance to persons in the disfavour of their Governments, are detained or imprisoned, and in many cases have been subjected to torture, arbitrary arrest and detention and unfair or secret trials in violation of rights guaranteed by the Universal Declaration of Human Rights,

"Recalling that, pursuant to Economic and Social Council resolution 1235 (XLII) of 6 June 1967, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities have been authorized to examine information relating to such reports,

"Noting with appreciation resolution 4 (XXVIII) (E/CN.4/SUB.2/L.635) adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities with respect to the human rights of persons subjected to any form of detention or imprisonment.

"1. Appeals to all Governments to proclaim an unconditional amnesty by releasing all political prisoners in the sense of persons deprived of their liberty primarily because they have, in accordance with the Universal Declaration of Human Rights, sought peaceful expression of beliefs and opinions at variance with those held by their Governments or have sought to provide legal or other forms of non-violent assistance to such persons;

/...

"2. Requests the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to strengthen their efforts on behalf of political prisoners, including the establishment of working groups to conduct studies including visits, whenever necessary, to determine the facts relevant to the rights of political prisoners and the response of Governments to this appeal;

"3. Urges all Governments to co-operate with the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities in their efforts on behalf of political prisoners, including requests to make such visits as they may deem necessary for the purpose of investigating and reporting on the circumstances relating to the detention, trial or imprisonment of such persons;

"4. Requests the Secretary-General to assist in any way he may deem appropriate in the implementation of this resolution, and to report to the General Assembly at its thirty-first session with respect to the activities of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities in the implementation of this resolution."

31. The amendments introduced to the draft resolution were the following:

(a) By Saudi Arabia (at the 2157th meeting), contained in document A/C.3/L.2177, reading as follows:

"(i) After the first preambular paragraph, add the following new paragraph:

"'Taking into account that many persons labouring for the right of self-determination as spelled out in article 1 of the two International Covenants on Human Rights as well as in many United Nations resolutions, are quite often arbitrarily detained or imprisoned';

"(ii) After operative paragraph 1, add the following paragraph:

"'Further appeals to all Governments to proclaim an unconditional amnesty to all those political prisoners who were detained for having been effective activists for the right of self-determination of their people'";

(b) By Ghana, later joined by the German Democratic Republic, Kenya and the Syrian Arab Republic (at the 2159th meeting), contained in document A/C.3/L.2179, reading as follows:

"(i) Replace the second preambular paragraph by the following:

"'Convinced that the lessening of international tensions contributes to the promotion of respect for and observance of human rights and fundamental freedoms and makes it imperative that efforts be renewed to achieve the total elimination of colonialism, foreign occupation and alien domination';

/...

"(ii) The fourth preambular paragraph: replace the words 'relating to such reports' by the words 'relevant to gross violations of human rights and fundamental freedoms as exemplified by the policy of apartheid as practised in the Republic of South Africa and in Namibia and to racial discrimination as practised in Southern Rhodesia and other territories';

"(iii) Replace operative paragraph 1 by the following:

"'Appeals to Member States to release all persons who have been detained or imprisoned as a result of their beliefs and opinions and their struggle for self-determination and independence against colonialism, foreign occupation, alien domination, racism and racial discrimination'"

(c) By Guinea, the Libyan Arab Republic, Madagascar, Mali and Senegal (at the 2165th meeting), contained in document A/C.3/L.2182, reading as follows:

"(i) Replace the first preambular paragraph by the following:

"'Noting that, in spite of continuing denial of the right of self-determination of the peoples of Namibia, Zimbabwe, Palestine and other places, progress has been achieved towards eliminating colonialism and ensuring the right of self-determination for peoples';

"(ii) Insert a new paragraph 2, reading as follows:

"'Demands that the illegal racist régimes of southern Africa should unconditionally and immediately free all persons detained or imprisoned because of their opinions and their opposition to apartheid, racism and colonialism'"

(d) By Romania (A/C.3/L.2183), subsequently withdrawn at the 2165th meeting, reading as follows:

"After the second preambular paragraph, add the following:

"'Emphasizing the need to respect human rights and fundamental freedoms, without distinction as to race, colour, sex, nationality, language, religion or political opinions'"

(e) By the Byelorussian Soviet Socialist Republic and Poland (at the 2165th meeting), contained in document A/C.3/L.2185, reading as follows:

"(i) Replace the third preambular paragraph by the following text:

"'Recalling its resolution 3103 (XXVIII), solemnly proclaiming the basic principles of the legal status of the combatants struggling against colonial and alien domination and racist régimes';

"(ii) Include the following as operative paragraph 1:

/...

"1. Reaffirms that any attempts to crush the struggle against colonial domination and racist régimes are incompatible with the Charter of the United Nations and the Universal Declaration of Human Rights';

"(iii) Replace operative paragraph 2 by the following text:

"Requests the Commission on Human Rights to give special attention to the question of the release of persons subjected to detention or imprisonment for participation in the struggle for self-determination and independence against colonialism, foreign occupation and domination, racism and racial discrimination';

"(iv) Replace operative paragraph 3 by the following text:

"Appeals to Member States to give support and aid to peoples engaged in the struggle against colonialism, foreign occupation, racism and racial discrimination';

"(v) Replace operative paragraph 4 by the following text:

"Requests the Commission on Human Rights, through the Economic and Social Council, to report to the General Assembly at its thirty-first session on the implementation of this resolution";

(f) By Cuba, Democratic Yemen, the Libyan Arab Republic and Venezuela, later joined by Iraq (at the 2165th meeting), contained in document A/C.3/L.2186/Rev.1, reading as follows: 3/

"(i) Add, as a new first preambular paragraph, the following text:

"Recalling its resolution 3246 (XXIX) and 3382 (XXX) which reaffirmed the legitimacy of the struggle of peoples for liberation from colonial and foreign domination by all available means, including armed struggle, and demanded full respect for the basic human rights of all persons detained or imprisoned as a result of their struggle for self-determination and independence, and their immediate release';

"(ii) Replace the present operative paragraph 2 by the following text:

"Requests the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to maintain under constant review the question referred to in operative paragraph 1';

3/ The words "... and their immediate release" at the end of the first amendment had been inadvertently omitted in document A/C.3/L.2186.

"(iii) In operative paragraph 3:

"a. Replace the word 'Governments' by 'Member States';

"b. Add the word 'fully' after 'co-operate';

"c. Add the words 'in this matter' after 'Sub-Commission on Prevention of Discrimination and Protection of Minorities' and delete the rest of the paragraph."

32. At the 2166th meeting, on 21 November, the representative of the United States of America withdrew draft resolution A/C.3/L.2175.

33. At the same meeting, the representative of Saudi Arabia requested that the following text be reproduced in the report of the Third Committee to the General Assembly:

"Heartened by the general awareness of youth all over the world that war, unless waged for strictly legitimate self-defence, negates all human rights,

"Taking into account that while many States are substituting open warfare against other States by resorting to subversive acts which quite often cause loss of many innocent lives,

"Noting that a good part of budgets allocated to intelligence agencies has been clandestinely used by many States for coups d'état in foreign countries, thereby causing untold suffering whenever such coups d'état brought about civil war,

"Appeals to all States and especially to the big Powers to refrain from using funds allocated to their intelligence agencies for interfering in the domestic affairs of other States by surreptitious means to destroy those countries with whose Governments they do not agree."

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

34. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

1971 Convention on Psychotropic Substances

The General Assembly,

Recalling its resolution 3147 (XXVIII) of 14 December 1973 stressing the importance to international drug control of universal accession to the Single Convention on Narcotic Drugs, 1961, 4/ the 1971 Convention on Psychotropic Substances 5/ and the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961, 6/

Expressing its satisfaction that during 1975 several additional countries have become parties to these treaties,

Mindful, however, that the 1971 Convention on Psychotropic Substances has not yet entered into force,

Convinced that entry into force of this Convention would constitute an important step towards the establishment of effective international control of the licit trade and the prevention of illicit traffic in psychotropic substances,

Recognizing the need to maintain momentum in the systematic strengthening of the international drug control system,

1. Expresses the hope that the 1971 Convention on Psychotropic Substances will soon enter into force;

2. Urges all countries, in particular those which are directly concerned in the manufacture, production of and trade in psychotropic substances, not yet parties to this Convention to take urgent action to adhere to it;

3. Requests the Secretary-General to transmit the present appeal to the Governments of those countries.

4/ United Nations, Treaty Series, vol. 520, No. 7515, p. 151.

5/ E/CONF.58/6 and Corr.1 and 2.

6/ E/CONF.63/8.

DRAFT RESOLUTION II

1972 Protocol Amending the Single Convention on
Narcotic Drugs, 1961

The General Assembly,

Aware that the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961, 7/ has entered into force,

Mindful that this Protocol increases the responsibilities of the International Narcotics Control Board, inter alia, with a view to ensuring, in collaboration with Governments, availability world-wide of narcotic drugs required for medical and scientific purposes, while at the same time preventing illicit cultivation, production and manufacture of and illicit trafficking in and use of such drugs,

Noting that all measures taken by the Board under the Convention are to be those most consistent with the intent to further Governments' co-operation with the Board and to provide the mechanism for a continuing dialogue between Governments and the Board in order to assist and facilitate effective national action to attain the aims of the Convention,

Noting also that the 1972 Protocol specifically empowers the Board to recommend to the competent United Nations organs and to the specialized agencies that technical or financial assistance, or both, be provided to Governments in support of their efforts to carry out their obligations under the Convention,

1. Invites Governments to co-operate fully with the International Narcotics Control Board in its efforts to carry out its increased responsibilities;

2. Invites the Secretary-General to continue to provide the support necessary to enable the Board and its secretariat to assume these new responsibilities;

3. Requests the competent United Nations organs, especially the United Nations Fund for Drug Abuse Control, and the specialized agencies to give particular attention to recommendations made by the Board concerning the provision of technical and financial assistance to support Governments' efforts to carry out their obligations under the Single Convention on Narcotic Drugs, 1961. 8/

7/ Ibid.

8/ United Nations, Treaty Series, vol. 520, No. 7515, p. 151.

DRAFT RESOLUTION III

Adequate priority for narcotics control

The General Assembly,

Bearing in mind the increasing responsibilities entrusted to the United Nations through treaties for the control of narcotic drugs and psychotropic substances,

Mindful of the deep concern of a large number of Governments over the growing threat caused by the spread of drug abuse in certain parts of the world, as confirmed by the overwhelming support accorded to its resolutions and those adopted by the Economic and Social Council during the last few years,

Recognizing that these developments have led to a considerable increase of work to be carried out by the competent United Nations bodies under their regular and statutory obligations,

Recalling its resolution 3279 (XXIX) of 10 December 1974, in which it also noted with appreciation the activities of the International Narcotics Control Board and of the Commission on Narcotic Drugs in the field of the control of illicit traffic and the struggle against the abuse of drugs,

Having regard to Economic and Social Council resolution 1910 (LVII) of 2 August 1974 regarding priorities in the economic, social and human rights fields,

Requests the Secretary-General, in preparing and presenting his drafts for the programme budget and the medium-term plan, to give particular attention to the resources requested for the competent United Nations bodies and their secretariats, in view of this increased work in drug control, in order to ensure that, in the light of the importance attributed to these activities by the General Assembly and the Economic and Social Council, adequate priority be given and the necessary resources allocated.

DRAFT RESOLUTION IV

United Nations Fund for Drug Abuse Control

The General Assembly,

Recalling its resolution 3145 (XXVIII) of 14 December 1973 concerning the urgent need for adequate financial resources to be provided to enable the United Nations Fund for Drug Abuse Control to continue and expand its activities to assist the developing countries concerned in carrying out their respective narcotics control programmes,

Aware that the financial resources of the Fund remain insufficient in the face of the continuing serious menace of drug abuse,

/...

1. Notes with satisfaction that the United Nations Fund for Drug Abuse Control, in collaboration with Governments and international organizations, has undertaken a number of activities which have contributed to the strengthening of countries' drug control programmes and thereby significantly advanced international efforts to reduce drug abuse and illicit traffic in drugs;
2. Endorses Economic and Social Council resolution 1937 (LVIII) of 6 May 1975 appealing to Governments for generous and sustained contributions to the Fund;
3. Requests the Secretary-General to communicate this renewed appeal to Governments;
4. Further requests the Secretary-General and the Executive Director of the Fund to use their good offices to the maximum extent possible to promote early and generous responses to the present appeal.

DRAFT RESOLUTION V

Declaration on the Rights of Disabled Persons

The General Assembly,

Mindful of the pledge made by Member States, under the Charter of the United Nations, to take joint and separate action in co-operation with the Organization to promote higher standards of living, full employment and conditions of economic and social progress and development,

Reaffirming its faith in human rights and fundamental freedoms and in the principles of peace, of the dignity and worth of the human person and of social justice proclaimed in the Charter,

Recalling the principles of the Universal Declaration of Human Rights, 9/ the International Covenants on Human Rights, 10/ the Declaration of the Rights of the Child 11/ and the Declaration on the Rights of Mentally Retarded Persons, 12/ as well as the standards already set for social progress in the constitutions, conventions, recommendations and resolutions of the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Children's Fund and other organizations concerned,

Recalling also Economic and Social Council resolution 1921 (LVIII) of 6 May 1975 on prevention of disability and rehabilitation of disabled persons,

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- 9/ General Assembly resolution 217 A (III).
10/ General Assembly resolution 2200 A (XXI), annex.
11/ General Assembly resolution 1386 (XIV).
12/ General Assembly resolution 2856 (XXVI).

/...

Emphasizing that the Declaration on Social Progress and Development 13/ has proclaimed the necessity of protecting the rights and assuring the welfare and rehabilitation of the physically and mentally disadvantaged,

Bearing in mind the necessity of preventing physical and mental disabilities and of assisting disabled persons to develop their abilities in the most varied fields of activities and of promoting their integration as far as possible in normal life,

Aware that certain countries, at their present stage of development, can devote only limited efforts to this end,

Proclaims this Declaration on the Rights of Disabled Persons and calls for national and international action to ensure that it will be used as a common basis and frame of reference for the protection of these rights:

1. The term "disabled person" means any person unable to ensure by himself or herself wholly or partly the necessities of a normal individual and/or social life, as a result of a deficiency, either congenital or not, in his or her physical or mental capabilities.
2. Disabled persons shall enjoy all the rights set forth in this Declaration. These rights shall be granted to all disabled persons without any exception whatsoever and without distinction or discrimination on the basis of race, colour, sex, language, religion, political or other opinions, national or social origin, state of wealth, birth or any other situation applying either to the disabled person himself or herself or to his or her family.
3. Disabled persons have the inherent right to respect for their human dignity. Disabled persons, whatever the origin, nature and seriousness of their handicaps and disabilities, have the same fundamental rights as their fellow-citizens of the same age, which implies first and foremost the right to enjoy a decent life, as normal and full as possible.
4. Disabled persons have the same civil and political rights as other human beings; article 7 of the Declaration of the Rights of Mentally Retarded Persons applies to any possible limitation or suppression of those rights for mentally disabled persons.
5. Disabled persons are entitled to the measures designed to enable them to become as self-reliant as possible.
6. Disabled persons have the right to medical, psychological and functional treatment, including prosthetic and orthetic appliances, to medical and social rehabilitation, education, vocational education, training and rehabilitation, aid, counselling, placement services and other services which will enable them to develop their capabilities and skills to the maximum and will hasten the process of their social integration or reintegration.

13/ General Assembly resolution 2542 (XXIV).

7. Disabled persons have the right to economic and social security and to a decent level of living. They have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions.

8. Disabled persons are entitled to have their special needs taken into consideration at all stages of economic and social planning.

9. Disabled persons have the right to live with their families or with foster parents and to participate in all social, creative or recreational activities. No disabled person shall be subjected, as far as his or her residence is concerned, to differential treatment other than that required by his or her condition or by the improvement which he or she may derive therefrom. If the stay of a disabled person in a specialized establishment is indispensable, the environment and living conditions therein shall be as close as possible to those of the normal life of a person of his or her age.

10. Disabled persons shall be protected against all exploitation, all regulations and all treatment of a discriminatory, abusive or degrading nature.

11. Disabled persons shall be able to avail themselves of qualified legal aid when such aid proves indispensable for the protection of their persons and property.

If judicial proceedings are instituted against them, the legal procedure applied shall take their physical and mental condition fully into account.

12. Organizations of disabled persons may be usefully consulted in all matters regarding the rights of disabled persons.

13. Disabled persons, their families and communities shall be fully informed, by all appropriate means, of the rights contained in this Declaration.

DRAFT RESOLUTION VI

Protection of human rights in Chile

The General Assembly,

Conscious of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all,

Recalling that, in accordance with the Universal Declaration of Human Rights, 14/ everyone has the right to life, liberty and security of person and

14/ General Assembly resolution 217 A (III).

the right not to be subjected to arbitrary arrest, detention or exile or to torture or cruel, inhuman or degrading treatment or punishment,

Recalling that, in its resolution 3219 (XXIX) of 6 November 1974, the General Assembly expressed its deepest concern about reported constant and flagrant violations of basic human rights and fundamental freedoms in Chile and urged the authorities in that country to take all necessary steps to restore and safeguard those rights and freedoms,

Noting that the General Conference of the United Nations Educational, Scientific and Cultural Organization, at its eighteenth session, the General Conference of the International Labour Organisation, at its sixtieth session, the World Conference of the International Women's Year and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its twenty-eighth session, called for the cessation of violations of human rights and fundamental freedoms in Chile,

Noting that, in its resolution 8 (XXXI) of 27 February 1975, the Commission on Human Rights, after expressing its serious concern about the continuing reports of violations of human rights in Chile, decided to establish an ad hoc working group to inquire into the present situation of human rights in that country on the basis of all available evidence, including a visit to Chile, and appealed to the authorities of Chile to extend its full co-operation to the group,

Having considered the report of the Secretary-General under resolution 3219 (XXIX) 15/ and, in particular, the progress report submitted by the Ad Hoc Working Group on the Situation of Human Rights in Chile, 16/

Convinced that the progress report contains evidence on which to conclude that flagrant and constant violations of basic human rights and fundamental freedoms have taken place and continue to take place in Chile,

Expressing its appreciation to the Chairman and members of the Ad Hoc Working Group for their report which has been prepared in a commendable manner, notwithstanding the refusal of the Chilean authorities to permit the Group to visit the country,

Reaffirming its condemnation of all forms of torture and cruel, inhuman or degrading treatment or punishment,

1. Expresses its profound distress at the constant, flagrant violations of human rights, including the institutionalized practice of torture, cruel, inhuman or degrading treatment or punishment, arbitrary arrest, detention and exile, to which the progress report brings additional evidence, which have taken place and, according to existing evidence, continue to take place in Chile;

15/ A/10295.

16/ A/10285.

2. Calls on the Chilean authorities to take, without delay, all necessary measures to restore and safeguard basic human rights and fundamental freedoms and fully to respect the provisions of the international instruments to which Chile is a party and, to this end, to ensure that:

(a) The state of siege or emergency is not used for the purpose of violating human rights and fundamental freedoms, contrary to article 4 of the International Covenant on Civil and Political Rights; 17/

(b) Adequate measures are taken to end the institutionalized practice of torture and other forms of cruel, inhuman or degrading treatment or punishment in full respect of article 7 of the International Covenant on Civil and Political Rights;

(c) The rights of all persons to liberty and security of person, in particular the rights of those who have been detained without charge or in prison solely for political reasons, as provided for in article 9 of the International Covenant on Civil and Political Rights, are fully guaranteed and steps are taken to clarify the status of those individuals who are not accounted for;

(d) No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed, contrary to article 15 of the International Covenant on Civil and Political Rights;

(e) No one, in accordance with article 15, paragraph 2, of the Universal Declaration of Human Rights, shall be arbitrarily deprived of Chilean nationality;

(f) The right to freedom of association, including the right to form and join trade unions, shall be respected in accordance with article 22 of the International Covenant on Civil and Political Rights;

(g) The right to intellectual freedoms, as provided for in article 19 of the International Covenant on Civil and Political Rights, shall be guaranteed;

3. Deplores the refusal of the Chilean authorities to allow the Ad Hoc Working Group on the Situation of Human Rights in Chile to visit the country, notwithstanding previous solemn assurances given by the authorities in this regard and urges them to honour these assurances;

4. Invites the Commission on Human Rights to extend the mandate of the Ad Hoc Working Group established under resolution 8 (XXXI), as presently constituted, to enable it to report to the General Assembly at its thirty-first session and to the Commission on Human Rights at its thirty-third session on the situation of human rights in Chile and, in particular, any developments which occur to re-establish respect for human rights and fundamental freedoms;

17/ General Assembly resolution 2200 A (XXI), annexes.

5. Requests the President of the thirtieth session of the General Assembly and the Secretary-General of the United Nations to assist in any way they may deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile.

DRAFT RESOLUTION VII

Measures to ensure human rights and dignity of all
migrant workers

The General Assembly,

Considering the Convention on Diplomatic Relations 18/ and the Convention on Consular Relations, 19/

Considering also its resolution 2920 (XXVII) of 15 November 1972 on the exploitation of labour through illicit and clandestine trafficking,

Recalling its resolution 3224 (XXIX) of 6 November 1974 on measures to better the conditions of migrant workers,

Recalling also resolution 1749 (LIV) of 16 May 1973, in which the Economic and Social Council expressed to the United Nations the need to continue examining the situation of migrant workers, taking into account economic, political, social and cultural factors in respect to human rights and dignity,

Noting with satisfaction the awareness of the international community of this problem and the necessity to protect the human rights of migrant workers,

Taking into consideration the urgent need carefully to examine the problem of migrant workers who surreptitiously enter another country to obtain work,

1. Calls upon the United Nations organs active in the field of human rights to continue devoting their attention to this question;

2. Requests the United Nations organs and the specialized agencies concerned to utilize in all official documents the term "non-documented or irregular migrant workers" to define those workers that illegally and/or surreptitiously enter another country to obtain work;

3. Appeals to Governments of Member States to remind their competent administrative authorities of their obligation to respect the human rights of all migrant workers, including those that are non-documented or irregular;

18/ United Nations, Treaty Series, vol. 500, p. 95.

19/ United Nations, Treaty Series, vol. 596, p. 261.

4. Urges Governments of Member States to grant all facilities and help to diplomatic and consular agents accredited in their countries so they can fulfil their functions in relation to the protection and defence of the human rights of migrant workers, including those that are non-documented or irregular.

DRAFT RESOLUTION VIII

Missing persons in Cyprus

The General Assembly

Recalling its resolution 3212 (XXIX) of 1 November 1974,

Noting resolution 4 (XXXI) adopted by the Commission on Human Rights on 13 February 1975,

Gravely concerned about the fate of a considerable number of Cypriots who are missing as a result of armed conflict in Cyprus,

Appreciating the work of the International Committee of the Red Cross in this field,

Reaffirming the basic human need of families in Cyprus to be informed about missing relatives,

1. Requests the Secretary-General to exert every effort, in close co-operation with the International Committee of the Red Cross, in assisting the tracing and accounting for missing persons as a result of armed conflict in Cyprus;

2. Requests the Secretary-General to provide the Commission on Human Rights, at its thirty-second session, with information relevant to the implementation of the present resolution.
