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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Third Committee

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I. INTRODUCTION

1. The General Assembly, at its 1939th plenary meeting, on 25 September 1971, allocated to the Third Committee agenda item 12 entitled "Report of the Economic and Social Council". The parts of the report^{1/} that were referred to the Third Committee were the following: chapters VIII (section F), XV, XVI, XVII (sections A and B and D to M), XVIII (sections A to C), XIX, XXI and XXII.
2. At the same meeting, the General Assembly also indicated that chapters XXI and XXII would be referred also to the Second and Fifth Committees.
3. The Third Committee 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 under other items on its agenda covering the same subjects:
 - (a) Respect for human rights in armed conflicts (Protection of journalists engaged in dangerous missions in areas of armed conflicts) /item 49 (chapter XVII, section A);
 - (b) World social situation /item 53 (chapter XV, section A);
 - (c) Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights /item 55 (chapter XVII, section D);
 - (d) Measures to be taken against nazism and other totalitarian ideologies and practices based on incitement to hatred and racial intolerance /item 57 (chapter XVII, section E);
 - (e) Report of the United Nations High Commissioner for Refugees /item 58 (chapter XVIII, section B);
 - (f) Assistance in cases of natural disaster /item 59 (chapter XIX);
 - (g) Criminality and social change /item 64 (chapter XV, section D).
4. The discussion of the parts of the report of the Economic and Social Council concerning items 49, 53, 55, 57, 58, 59 and 64 is contained in the reports of the Third Committee on those items.
5. Sections of the report of the Economic and Social Council referred to the Third Committee which did not form part of independent items were as follows:

^{1/} Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 3 (A/8403).

- Chapter XV: (Social development), section B (Research and training programme in regional development), section C (Work programme of the Commission for Social Development), section E (Draft Declaration on the Rights of Mentally Retarded Persons), section F (Social security in the context of national development), section G (Role of the Commission for Social Development in the implementation of the International Development Strategy), section H (Work of the United Nations Research Institute for Social Development), section I (Proposal to convene a conference of European ministers responsible for social welfare), section J (Report of the Commission for Social Development);
- Chapter XVI: (Narcotic drugs and psychotropic substances);
- Chapter XVII: (Human rights), section B (Racial discrimination in the political, economic, social and cultural spheres), section F (The problem of indigenous populations), section G (Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism), section H (Study of equality in the administration of justice), Section I (Question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and the study of special problems relating to human rights in developing countries), section J (Periodic reports on human rights and reports on freedom of information), section K (Work programme of the Commission on Human Rights), section L (Report of the Commission on Human Rights), section M (Allegations regarding infringements of trade union rights);
- Chapter XVIII: (Other social, humanitarian and cultural questions), section A (Development of information media), section C (Capital punishment);
- Chapter XXI: (Relations with non-United Nations intergovernmental organizations in the economic and social field);
- Chapter XXII: (Reports of the Joint Inspection Unit).

6. In addition to the report of the Economic and Social Council the Committee had before it the report of the Secretary-General (A/8342 and Add.1) on the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories.

7. The Committee confined its discussions to various draft resolutions relating to the report of the Council. The draft resolutions were considered at the 1904th and 1905th meetings of the Committee.

II. PROCEEDINGS IN THE THIRD COMMITTEE

A. Draft resolutions and amendments considered by the Committee

1. United Nations Children's Fund (UNICEF)

8. The Committee discussed the section of the report of the Economic and Social Council^{2/} dealing with the report of the Executive Board of the United Nations Children's Fund at its 1904th and 1905th meetings, held on 10 December 1971.

9. The item was introduced by the Deputy Executive Director of UNICEF (Operations). Many delegations cited the importance of UNICEF aid in helping their own countries initiate or strengthen programmes benefiting children. UNICEF had an important role to play in the International Development Strategy for the Second Development Decade, working in co-operation with the various members of the United Nations system. An important contribution to country programming was being made by UNICEF in its help to various ministries so that they could present a comprehensive view of children's needs and opportunities for action. While the main work of UNICEF was concerned with long-term improvement of the situation of children, UNICEF had been able to respond speedily in providing emergency relief, due in large part to its programming, purchasing and field experience; great needs were foreseen in the future for child relief and for the rehabilitation of services benefiting children. In order for UNICEF to be in a position to fulfil its special responsibilities in the United Nations system, additional funds were needed. The hope was expressed by a number of delegations that UNICEF would be able to achieve its income target of \$100 million by 1975. A suggestion was made that in its next consideration of UNICEF, the General Assembly have before it information on progress in achieving the goals set forth in the Declaration of the Rights of the Child. A number of representatives regretted that there was insufficient time for a thorough review of UNICEF's work, and there was general agreement that more time should be allowed in the future, earlier in the Assembly's session. In the light of UNICEF's growing contribution to the United Nations development effort, the view was expressed that it would be more desirable to allocate the section of the report of the Economic and Social Council dealing with UNICEF to the Second Committee along with other operational activities for development.

^{2/} Ibid., chap. VIII, sect. F.

10. At the 1904th meeting, the representative of Sweden, on behalf of the delegations of Afghanistan, Austria, Bhutan, Canada, Chile, Costa Rica, Denmark, Egypt, Ethiopia, Iceland, India, Indonesia, Iran, Morocco, Nigeria, Pakistan, Sierra Leone, Sweden, Tunisia and Yugoslavia, introduced a draft resolution (A/C.3/L.1900).

11. Subsequently, the delegations of Algeria, Belgium, Brazil, Finland, Greece, the Libyan Arab Republic, Mauritania, Norway, the Philippines, the Sudan, the Syrian Arab Republic and Uruguay joined in sponsoring the draft resolution.

12. Following a suggestion by the representative of Poland with respect to operative paragraph 4, the sponsors agreed to delete the word "the" preceding "Governments" and to delete "of Member States" so that the phrase reads "Appeals to Governments and other donors....". Poland became a co-sponsor of the draft resolution.

2. Draft Declaration on the Rights of Mentally Retarded Persons

13. The Economic and Social Council, during its fiftieth session, considered a request by the Commission for Social Development in its resolution 8 (XXII) of 18 March 1971 concerning a declaration on the rights of mentally retarded persons. In resolution 1585 (L) of 21 May 1971, the Council transmitted the text of a draft Declaration to the General Assembly.

14. The texts of resolution 1585 (L) and of the draft Declaration were brought to the attention of the Committee (A/C.3/L.1870).

3. Capital punishment

15. At the 1905th meeting, the representative of Sweden, on behalf of Austria, Costa Rica, Italy, Netherlands, New Zealand, Sweden, the United Kingdom of Great Britain and Northern Ireland and Uruguay introduced a draft resolution (A/C.3/L.1908).

16. Subsequently Norway and Venezuela joined in sponsoring the draft resolution, which read as follows:

"The General Assembly,

"Recalling its resolution 2393 (XXIII) of 26 November 1968 concerning the application of the most careful legal procedures and the greatest possible safeguards for the accused in capital cases as well as the attitude of Member States to possible further restriction of the use of capital punishment or to its total abolition,

"Taking note of chapter XVIII, section C, of the report of the Economic and Social Council on the work of its fiftieth and fifty-first sessions concerning the consideration by the Council of the report on capital punishment (E/4947) submitted by the Secretary-General in implementation of the aforementioned resolution,

"Taking note of Economic and Social Council resolution 1754 (L) of 20 May 1970,

"Expressing the desirability of continuing and extending the consideration of the question of capital punishment by the United Nations,

"1. Takes note with satisfaction of the measures already taken by a number of States in order to ensure careful legal procedures and safeguards for the accused in capital cases in countries where the death penalty still exists;

"2. Considers that further efforts should be made to ensure such procedures and safeguards in capital cases everywhere;

"3. Affirms that, in order fully to guarantee the right to life, provided for in article 3 of the Universal Declaration of Human Rights, the main objective to be pursued is that of progressively restricting the number of offences for which capital punishment may be imposed, with a view to the desirability of abolishing this punishment in all countries;

"4. Invites Member States which have not yet done so to inform the Secretary-General of their legal procedures and safeguards as well as of their attitude to possible further restriction of the use of the death penalty or its total abolition, by providing the information requested in paragraphs 1 (c) and 2 of General Assembly resolution 2393 (XXIII);

"5. Requests the Secretary-General to circulate as soon as possible to Member States all the replies to the queries contained in paragraphs 1 (c) and 2 of General Assembly resolution (XXIII) submitted by Member States either before or after the adoption of the present resolution, and to submit a supplementary report to the Economic and Social Council at its fifty-second session;

"6. Further requests the Secretary-General, on the basis of material furnished and to be furnished in accordance with paragraph 4 by Governments of Member States where capital punishment still exists, to prepare a separate report regarding practices and statutory rules which may govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve, and to submit it to Member States for their information and whatever action they may consider appropriate."

17. The representative of Sweden orally amended operative paragraphs 5 and 6 to read as follows:

"5. Requests the Secretary-General to circulate as soon as possible to Member States all the replies already received from Member States to the queries contained in paragraphs 1 (c) and 2 of General Assembly resolution 2393 (XXIII) and those to be received after the adoption of the present resolution, and to submit a supplementary report to the Economic and Social Council at its fifty-second session;

"6. Further requests the Secretary-General, on the basis of material furnished in accordance with paragraph 4 by Governments of Member States where capital punishment still exists, to prepare a separate report regarding practices and statutory rules which may govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve and to submit it to the General Assembly."

4. Human rights in the administration of justice

18. At the 1905th meeting, the representative of Italy, on behalf of Austria, Canada, Costa Rica, Italy, New Zealand, Netherlands, Sweden, the United Kingdom of Great Britain and Northern Ireland and Uruguay introduced a draft resolution (A/C.3/L.1909).

19. Subsequently Belgium, Brazil and France joined in sponsoring the draft resolution.

5. Youth and dependence-producing drugs

20. At the 1905th meeting, the representative of Iceland introduced a draft resolution (A/C.3/L.1917/Rev.1), which read as follows:

"The General Assembly,

"Recalling General Assembly resolution 2719 (XXV), Economic and Social Council resolution 1578 (L) and World Health Assembly resolution WHA24.57 of 20 May 1971,

"Considering that the abuse of narcotics and psychotropic drugs has become an extremely serious problem in many countries with disastrous results for the populations of these countries,

"Acknowledging that measures hitherto adopted in the fight against the abuse of drugs have not been sufficiently effective, whereas some countries have taken positive steps others have not yet taken adequate and effective measures for the suppression of illicit traffic in dependence-producing drugs,

"Emphasizing that the abuse of dependence-producing drugs presents an especially serious threat to the youth of the world among which this disease has been growing at an alarming rate and which now threatens the well-being of young people in a great number of countries,

"Warning in particular against attempts directed towards weakening of existing controls over the drug substance cannabis,

"Noting that only through international co-operation can the dangers of drug abuse be reduced and this social malady effectively countered,

"Strongly endorsing the activities of the International Narcotics Control Board, the World Health Organization and other agencies, and their decision to redouble their efforts to control and combat drug abuse throughout the world,

"1. Urges all States to give wide support to the United Nations Fund for Drug Abuse Control with particular reference to representative action among the youth of the world;

"2. Appeals to all States to enact effective legislation against drug abuse providing severe penalties for those engaged in illicit drug trafficking;

"3. Urges that steps be taken by Governments to inform in particular the youth about the dangers of drug abuses, and to promote establishment of comprehensive community-based drug treatment and rehabilitation facilities, particularly for young drug users;

"4. Requests the Secretary-General, in consultation with the specialized agencies concerned, to make a report to the Economic and Social Council at its fifty-third session on how the United Nations system can increase its effectiveness in the fight against drug abuse with special reference to the problems of youth in this respect."

21. The representative of Iceland, on the suggestion of the representative of Nigeria, orally amended operative paragraph 1 to read as follows:

"1. Urges all States to give wide support to the United Nations Fund for Drug Abuse Control and in particular to involve youth in activities aimed to control drug abuse;"

22. The representative of Afghanistan introduced amendments (A/C.3/L.1924/Rev.1), which called for:

(a) The addition, after the third preambular paragraph, of a new paragraph to read as follows:

"Acknowledging further that developing countries determined to prevent illicit production of and illicit traffic in narcotic drugs do not succeed in achieving their goal owing to economic and technical difficulties,";

(b) The addition, after operative paragraph 1, of a new paragraph to read as follows:

"2. Requests all competent organs of the United Nations dealing with the question of narcotic drugs to provide appropriate and effective assistance to developing countries with a view to enabling them to combat effectively the illicit production of and illicit traffic in narcotic drugs".

23. The representative of Iceland agreed to incorporate the above-mentioned amendments into his text.

6. Celebration of the twenty-fifth anniversary of the Universal Declaration of Human Rights

24. A draft resolution was submitted by Cyprus, Ghana, Nigeria, Norway, Senegal, Sierra Leone and Zambia (A/C.3/L.1926). The co-sponsors replaced, in the first preambular paragraph, the words "the year" by the words "Human Rights Day in" and, in operative paragraph 1, the words "to mark 1973 as" by the words "to observe".

B. Voting

1. United Nations Children's Fund

25. At its 1904th meeting, on 10 December 1971, the Committee unanimously adopted the draft resolution contained in document A/C.3/L.1900 as amended (see para. 31, draft resolution I).

2. Draft Declaration on the Rights of Mentally Retarded Persons

26. At its 1905th meeting, on 10 December 1971, the Committee voted on the draft resolution recommended by the Economic and Social Council (see paras. 13 and 14 above). At the request of the representative of India, it took a recorded vote.

The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Burundi, Cameroon, Canada, Central African Republic, Chile, Colombia, Congo, Costa Rica, Cuba, Denmark, Equatorial Guinea, Finland, France, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, People's Democratic Republic of Yemen, Peru, Philippines, Portugal, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania.

The draft Declaration as a whole was adopted by 83 votes to none, with 9 abstentions (see para. 31, draft resolution II).

3. Capital punishment

27. At its 1905th meeting, on 10 December 1971, the Committee voted on the draft resolution (see para. 16 above) as follows:

(a) It took, at the request of the representative of Nigeria, a separate vote on the words "or to its total abolition" in the first preambular paragraph. A recorded vote was taken at the request of the representative of New Zealand. The voting was as follows:

In favour: Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, Honduras, Ireland, Italy, Ivory Coast, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: Equatorial Guinea, Guinea, India, Libyan Arab Republic, Nigeria, Saudi Arabia, Senegal, Sierra Leone.

Abstaining: Afghanistan, Algeria, Argentina, Australia, Bahrain, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Cyprus, Czechoslovakia, Dahomey, Ethiopia, France, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Laos, Lebanon, Liberia, Madagascar, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, People's Democratic Republic of Yemen, Peru, Poland, Rwanda, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yemen, Yugoslavia.

The words were retained by 24 votes to 8, with 61 abstentions;

(b) It took, at the request of the representative of the Union of Soviet Socialist Republics, a separate vote on the last preambular paragraph. The paragraph was retained by 31 votes to 4, with 58 abstentions.

(c) It took, at the request of the representative of Nigeria, a separate vote on the words "or its total abolition" in operative paragraph 4. A recorded vote was taken at the request of the representative of New Zealand. The voting was as follows:

In favour: Austria, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, Honduras, Ireland, Italy, Ivory Coast, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: Equatorial Guinea, Guinea, India, Libyan Arab Republic, Nigeria, Saudi Arabia, Senegal, Sierra Leone, Togo.

Abstaining: Afghanistan, Algeria, Argentina, Australia, Bahrain, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Cyprus, Czechoslovakia, Dahomey, Egypt, Ethiopia, France, Ghana, Greece, Guatemala, Guyana, Hungary, Iceland, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Laos, Lebanon, Liberia, Luxembourg, Madagascar, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, People's Democratic Republic of Yemen, Peru, Poland, Rwanda, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yemen, Yugoslavia.

The words were retained by 23 votes to 9 with 62 abstentions;

(d) At the request of the representative of Sweden, it took a recorded vote on operative paragraph 6. The voting was as follows:

In favour: Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, Equatorial Guinea, Finland, Ghana, Greece, Guatemala, Honduras, Iceland, India, Ireland, Italy, Ivory Coast, Laos, Luxembourg, Madagascar, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: None.

Abstaining: Afghanistan, Algeria, Argentina, Australia, Bahrain, Barbados, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Cyprus, Czechoslovakia, Dahomey, Egypt, Ethiopia, France, Guinea, Guyana, Hungary, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Nigeria, People's Democratic Republic of Yemen, Peru, Poland, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yemen, Yugoslavia.

The paragraph was retained by 33 votes to none, with 62 abstentions.

(e) At the request of the representative of Sweden, it took a recorded vote on the draft resolution as a whole, as orally revised. The voting was as follows:

In favour: Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Ecuador, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Laos, Luxembourg, Madagascar, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Poland, Portugal, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Afghanistan, Algeria, Argentina, Bahrain, Barbados, Brazil, Burma, Burundi, Cameroon, Central African Republic, Chile, Dahomey, Egypt, Equatorial Guinea, Guinea, Guyana, Indonesia, Iran, Iraq, Jamaica, Japan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, Nigeria, People's Democratic Republic of Yemen, Peru, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Tanzania, United States of America, Yemen.

The draft resolution as a whole, as amended, was adopted by 45 votes to none, with 51 abstentions (see para. 31, draft resolution III).

4. Human rights in the administration of justice

28. At its 1905th meeting, on 10 December 1971, the Committee voted on the draft resolution (see para. 18 above).

(a) It took, at the request of the representative of the Union of Soviet Socialist Republics, a separate vote on operative paragraph 3. The paragraph was retained by 46 votes to 7, with 33 abstentions;

(b) It adopted, by 72 votes to 7, with 9 abstentions, the draft resolution as a whole (see para. 31, draft resolution IV).

5. Youth and dependence-producing drugs

29. At its 1905th meeting, on 10 December 1971, the Committee voted on the draft resolution (see para. 20 above).

(a) It took, at the request of the representative of Afghanistan, a recorded vote on the new paragraph to be added after operative paragraph 1 (see para. 22 above). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Belgium, Brazil, Burma, Burundi, Cameroon, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cuba, Cyprus, Dahomey, Denmark, Ecuador, Egypt, Ethiopia, Finland, France, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Nepal, New Zealand, Nicaragua, Nigeria, Norway, People's Democratic Republic of Yemen, Peru, Philippines, Portugal, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The paragraph was retained by 88 votes to none, with 7 abstentions.

(b) It adopted, by 94 votes to none, the draft resolution as a whole, as amended (see para. 31, draft resolution V).

6. Celebration of the twenty-fifth anniversary of the Universal Declaration of Human Rights

30. At its 1905th meeting, on 10 December 1971, the Committee voted on the draft resolution (see para. 24 above). The draft resolution was adopted unanimously (see para. 31, draft resolution VI).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

DRAFT RESOLUTION I

United Nations Children's Fund

The General Assembly,

Having considered the section of the report of the Economic and Social Council dealing with the United Nations Children's Fund,^{3/}

Recognizing that in countries assisted by the United Nations Children's Fund, children and adolescents represent about half of the total population, and that their number will increase by nearly a third in the decade of the 1970s,

Convinced of the importance of ensuring that children and adolescents receive their due share of attention and investment in the developing process of developing countries,

Recognizing the valuable role the Fund is playing, in co-operation with Governments, the relevant technical and other agencies of the United Nations system and non-governmental organizations, in furthering the objectives of the Second United Nations Development Decade,

Welcoming the efforts of the Fund to bring the needs of children and adolescents in developing countries to world-wide attention and the practical aid the Fund gives to developing countries to enable them to provide for services for children and adolescents within a unified approach to economic and social development,

Noting with approval the prompt and effective assistance that the Fund has provided in natural and other disasters to meet the urgent needs of mothers and children, who are particularly vulnerable and constitute the large majority of those affected by disasters,

^{3/} Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 3 (A/8403), chap. VIII, sect. F.

1. Commends the United Nations Children's Fund for its very substantial and significant achievements during its 25 years of operation, and expresses its appreciation to all who helped contribute to them;
2. Endorses the policies of the Fund;
3. Requests the Fund to continue and expand its co-operation with countries for the protection of the younger generation and their preparation for future responsibilities;
4. Appeals to Governments and other donors to make every effort to increase their contribution to the Fund, so as to enable it to reach its target figure of \$100 million by 1975.

DRAFT RESOLUTION II

Declaration on the Rights of Mentally
Retarded Persons

The General Assembly,

Mindful of the pledge of 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 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 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 mentally retarded persons to develop their abilities in various 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 Mentally Retarded 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 mentally retarded person has, to the maximum degree of feasibility, the same rights as other human beings.
2. The mentally retarded person has a right to proper medical care and physical therapy and to such education, training, rehabilitation and guidance as will enable him to develop his ability and maximum potential.

3. The mentally retarded person has a right to economic security and to a decent standard of living. He has a right to perform productive work or to engage in any other meaningful occupation to the fullest possible extent of his capabilities.

4. Whenever possible, the mentally retarded person should live with his own family or with foster parents and participate in different forms of community life. The family with which he lives should receive assistance. If care in an institution becomes necessary, it should be provided in surroundings and other circumstances as close as possible to those of normal life.

5. The mentally retarded person has a right to a qualified guardian when this is required to protect his personal well-being and interests.

6. The mentally retarded person has a right to protection from exploitation, abuse and degrading treatment. If prosecuted for any offence, he shall have a right to due process of law with full recognition being given to his degree of mental responsibility.

7. Whenever mentally retarded persons are unable, because of the severity of their handicap, to exercise all their rights in a meaningful way or it should become necessary to restrict or deny some or all of these rights, the procedure used for that restriction or denial of rights must contain proper legal safeguards against every form of abuse. This procedure must be based on an evaluation of the social capability of the mentally retarded person by qualified experts and must be subject to periodic review and to the right of appeal to higher authorities.

DRAFT RESOLUTION III

Capital punishment

The General Assembly,

Recalling its resolution 2393 (XXIII) of 26 November 1968 concerning the application of the most careful legal procedures and the greatest possible safeguards for the accused in capital cases as well as the attitude of Member States to possible further restriction of the use of capital punishment or to its total abolition,

Taking note of chapter XVIII, section C, of the report of the Economic and Social Council on the work of its fiftieth and fifty-first sessions^{4/} concerning the consideration by the Council of the report on capital punishment^{5/} submitted by the Secretary-General in implementation of the aforementioned resolution,

Taking note of Economic and Social Council resolution 1574 (L) of 20 May 1971,

Expressing the desirability of continuing and extending the consideration of the question of capital punishment by the United Nations,

1. Notes with satisfaction of the measures already taken by a number of States in order to ensure careful legal procedures and safeguards for the accused in capital cases in countries where the death penalty still exists;
2. Considers that further efforts should be made to ensure such procedures and safeguards in capital cases everywhere;
3. Affirms that, in order fully to guarantee the right to life, provided for in article 3 of the Universal Declaration of Human Rights, the main objective to be pursued is that of progressively restricting the number of offences for which capital punishment may be imposed, with a view to the desirability of abolishing this punishment in all countries;
4. Invites Member States which have not yet done so to inform the Secretary-General of their legal procedures and safeguards as well as of their attitude to possible further restriction of the use of the death penalty or its total abolition, by providing the information requested in paragraphs 1 (c) and 2 of General Assembly resolution 2393 (XXIII),

^{4/} Ibid., Supplement No. 3 (A/8403).

^{5/} E/4947 and Corr.1.

5. Requests the Secretary-General to circulate as soon as possible to Member States all the replies already received from Member States to the queries contained in paragraphs 1 (c) and 2 of resolution 2393 (XXIII) and those to be received after the adoption of the present resolution, and to submit a supplementary report to the Economic and Social Council at its fifty-second session;

6. Further requests the Secretary-General, on the basis of material furnished in accordance with paragraph 4 by Governments of Member States where capital punishment still exists, to prepare a separate report regarding practices and statutory rules which may govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve, and to submit it to the General Assembly.

DRAFT RESOLUTION IV

Human rights in the administration of justice

The General Assembly,

Recalling articles 5, 10 and 11 of the Universal Declaration of Human Rights,
Recalling Economic and Social Council resolution 663 C (XXIV) of 31 July 1957,
which approved the Standard Minimum Rules for the Treatment of Prisoners,^{6/}

Convinced of the need for further concerted action in promoting respect for
and implementation of the principles embodied in the aforementioned articles of
the Universal Declaration of Human Rights,

1. Solemnly reaffirms the principles concerning human rights in the
administration of justice as embodied in articles 5, 10 and 11 of the Universal
Declaration of Human Rights, namely, those referring to the right to be subjected
only to humane treatment or punishment, the right to a fair and public hearing by
an independent and impartial tribunal in any civil or criminal proceedings, the
right, if charged with a penal offence, to be presumed innocent until proved
guilty and the right not to be subjected to retrospective criminal sanctions;
2. Invites the attention of Member States to the Standard Minimum Rules for
the Treatment of Prisoners and recommends that they shall be effectively implemented
in the administration of penal and correctional institutions and that favourable
consideration shall be given to their incorporation in national legislation;
3. Takes note with satisfaction of the establishment of a working group of
experts within the work programme of the Commission for Social Development to
advise on methods of strengthening the implementation of the Standard Minimum Rules
for the Treatment of Prisoners and reporting procedures thereon;
4. Endorses the recommendation contained in Economic and Social Council
resolution 1594 (L) of 21 May 1971 that the Commission on Human Rights should, at
its twenty-eighth session, examine the draft principles relating to equality in the
administration of justice adopted by the Sub-Commission on Prevention of
Discrimination and Protection of Minorities and take a decision on further action;
5. Expresses the hope that the Economic and Social Council at its fifty-
second session will be able to consider final proposals of the Commission on these
principles.

^{6/} United Nations publication, Sales No.: 1956.IV.4, annex I, A.

DRAFT RESOLUTION V

Youth and dependence-producing drugs

The General Assembly,

Recalling its resolution 2719 (XXV) of 15 December 1970, Economic and Social Council resolution 1578 (L) of 20 May 1971 and World Health Assembly resolution WHA24.57 of 20 May 1971,

Considering that the abuse of narcotics and psychotropic drugs has become an extremely serious problem in many countries with disastrous results for the populations of these countries,

Acknowledging that measures hitherto adopted in the fight against the abuse of drugs have not been sufficiently effective, as some countries have taken positive steps while others have not yet taken adequate and effective measures for the suppression of illicit traffic in dependence-producing drugs,

Acknowledging further that developing countries determined to prevent illicit production of and illicit traffic in narcotic drugs do not succeed in achieving their goal owing to economic and technical difficulties,

Emphasizing that the abuse of dependence-producing drugs presents an especially serious threat to the youth of the world, among whom this disease has been growing at an alarming rate and now threatens the well-being of young people in a great number of countries,

Warning in particular against attempts directed towards the weakening of existing controls over the drug substance cannabis,

Noting that only through international co-operation can the dangers of drug abuse be reduced and this social malady effectively countered,

Strongly endorsing the activities of the International Narcotics Control Board, the World Health Organization and other agencies, and their decision to redouble their efforts to control and combat drug abuse throughout the world,

1. Urges all States to give wide support to the United Nations Fund for Drug Abuse Control and in particular to involve youth in activities aimed at controlling drug abuse;

2. Requests all competent organs of the United Nations dealing with the question of narcotic drugs to provide appropriate and effective assistance to developing countries with a view to enabling them to combat effectively the illicit production of and illicit traffic in narcotic drugs;

3. Appeals to all States to enact effective legislation against drug abuse providing severe penalties for those engaged in illicit drug-trafficking;

4. Urges that steps be taken by Governments to inform in particular the youth about the dangers of drug abuses, and to promote establishment of comprehensive community-based drug treatment and rehabilitation facilities, particularly for young drug users;

5. Requests the Secretary-General, in consultation with the specialized agencies concerned, to make a report to the Economic and Social Council at its fifty-third session on how the United Nations system can increase its effectiveness in the fight against drug abuse with special reference to the problems of youth in this respect.

DRAFT RESOLUTION VI

Celebration of the twenty-fifth anniversary of the Universal
Declaration of Human Rights

The General Assembly,

Noting that Human Rights Day in 1973 will mark the twenty-fifth anniversary of the adoption and proclamation by the General Assembly of the Universal Declaration of Human Rights,

Convinced of the historic significance and enduring value of the Universal Declaration as a "common standard of achievement for all peoples and all nations",

Recalling that the United Nations provided for special observances of the tenth, fifteenth and twentieth anniversaries of the Universal Declaration, including the observance of the twentieth anniversary, in 1968, as the International Year for Human Rights,

Desiring to mark, in 1973, the twenty-fifth anniversary of the Universal Declaration in a manner which would fit the occasion and serve the cause of human rights,

1. Decides to consider at its twenty-seventh session the question of the preparation of an appropriate programme to observe the twenty-fifth anniversary of the Universal Declaration of Human Rights;
2. Requests the Secretary-General to present, for consideration by the General Assembly at its twenty-seventh session, such suggestions as he may consider appropriate concerning suitable activities which could be undertaken in celebration of the twenty-fifth anniversary of the Universal Declaration.
