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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Third Committee (Part II)

Rapporteur: Mrs. Ani SANTHOSO (Indonesia)

II. CONSIDERATION OF PROPOSALS

A. Draft resolution contained in A/C.3/42/L.2

By its decision 41/433 of 4 December 1986, the General Assembly decided to defer until its forty-second session consideration of a draft resolution entitled "Promotion of the universal recognition, of, and respect for, the rights of persons, their equality and dignity" (A/C.3/42/L.2), which read as follows:

"The General Assembly,

"Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms with a view to the creation of the conditions of stability and well-being that are necessary for peaceful and friendly relations among nations,

"Recalling the Universal Declaration of Human Rights, 1/ which stresses the necessity of promoting the development of friendly relations between nations,

1/ Resolution 217 A (III).

"Recalling further that, in accordance with the International Covenants on Human Rights, 2/ all peoples have the right to determine freely their political status and to pursue freely their economic, social and cultural development,

"Welcoming the entry into force of the African Charter on Human and People's Rights, which, inter alia, proclaims that all peoples shall be equal and shall enjoy the same respect and have the same rights,

"Bearing in mind that various rights of peoples have been recognized in many of the documents and decisions of the General Assembly, as well as in decisions adopted by other organs of the United Nations and the specialized agencies,

"Convinced that violations of the inalienable rights of peoples, intervention in their internal affairs, coercion and constraint of any kind whatsoever, as well as impeding their free and independent development, undermine the foundations of peace and international co-operation and lead to mass and flagrant violations of human rights and fundamental freedoms,

"Guided by the goal of creating conditions of common existence and co-operation in peace, equality, mutual confidence and understanding for all peoples,

"1. Stresses the importance of recognition of, and respect for, the rights of peoples, their equality and dignity, in order to promote and encourage respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion;

"2. Condemns all encroachments upon the inalienable rights of peoples, in particular the policy of apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of all peoples to self-determination and of every nation to exercise full sovereignty over its wealth and natural resources;

"3. Expresses its conviction that violations of inalienable rights of peoples inevitably lead to mass and flagrant violations of human rights and fundamental freedoms and constitute obstacles to the maintenance of peace and to international co-operation;

"4. Reaffirms the inalienable right of all peoples to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion and constraint of any kind whatsoever;

"5. Stresses the necessity of developing further the equal international co-operation in promoting universal respect for, and observance of, human rights and the rights of peoples, and of strengthening the legal basis of such co-operation;

"6. Reaffirms its conviction that international co-operation in the field of human rights should be based on a profound understanding of the variety of problems existing in different societies and on the full respect for their economic, social and cultural realities;

"7. Emphasizes, in this connection, the importance of a greater flow of objective information needed for mutual acquaintance of peoples with the life of each other in order to strengthen among them the spirit of confidence, mutual understanding and respect;

"8. Considers it essential to attain throughout the world a more profound understanding of the necessity of universal recognition of, and respect for, the rights of peoples;

"9. Requests the Commission on Human Rights to study the question of promoting the universal recognition of, and respect for, the rights of peoples, their equality and dignity;

"10. Decides to consider this question at its forty-second session under the agenda item entitled 'Report of the Economic and Social Council'."

2. At its 61st meeting, on 27 November, following a statement by the representative of the Ukrainian Soviet Socialist Republic (see A/C.3/42/SR.61), the Committee decided to take no action on draft resolution A/C.3/42/L.2.

B. Draft resolution A/C.3/42/L.5 and amendments thereto contained in A/C.3/42/L.90

3. By its resolution 1987/42 of 28 May 1987, the Economic and Social Council recommended for adoption by the General Assembly a draft resolution entitled "Need to enhance international co-operation in the field of the protection of and assistance for the family". The text of the draft resolution, which was circulated in a note by the Secretariat (A/C.3/42/L.5), read as follows:

"The General Assembly,

"Mindful of the resolve of the peoples of the United Nations to promote social progress and better standards of life in larger freedom, with a view to the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations between nations,

"Recalling that according to the International Covenant on Economic, Social and Cultural Rights, 3/ the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society,

"Recalling also the Declaration on Social Progress and Development, 4/ which provides that the family, as a basic unit of society and the natural environment for the growth and well-being of all its members, particularly children and youth, should be assisted and protected so that it may fully assume its responsibilities within the community,

"Convinced of the urgency of meeting the diverse needs of the family, both as a beneficiary and as an active participant of the development process,

"Recognizing the necessity of consolidating the efforts of all States in carrying out specific programmes concerning the family, in which the United Nations may have an important role to play,

"Aware of the international consensus on the importance of the role of the family as an agent of positive change in society,

"Recalling Economic and Social Council resolutions 1983/23 of 26 May 1983 and 1985/29 of 29 May 1985,

"Convinced that appropriate measures should be taken to mobilize efforts at the local, national, regional and international levels on behalf of the family,

"Recalling in this connection its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 concerning the guidelines for international years and anniversaries,

"1. Invites all States to make their views known concerning the possible proclamation of an international year of the family and to offer their comments and proposals thereon to the Secretary-General before 30 April 1988;

"2. Requests the Secretary-General to submit to the General Assembly at its forty-third session a comprehensive report, based on the comments and proposals of Member States on the possible proclamation of such a year and other ways and means to improve the position and well-being of the family and intensify international co-operation as part of global efforts to advance social progress and development;

"3. Decides to consider that report as a matter of high priority, and to take appropriate decisions on it at its forty-third session, under an item of the provisional agenda entitled 'Families in the development process'."

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3/ General Assembly resolution 2200 A (XXI), annex.

4/ General Assembly resolution 2542 (XXIV).

4. At the 60th meeting, on 25 November, the representative of the Netherlands introduced amendments (A/C.3/42/L.90) to the draft resolution. The amendments read as follows:

"1. In the fifth preambular paragraph, after the words 'concerning the family' add the words 'and family-like group units of society'.

"2. In operative paragraph 2, after the words 'the position and well-being of the family' add the words 'and family-like group units of society'."

5. At the same meeting, statements were made by the representatives of Egypt, the Netherlands, the Syrian Arab Republic, Ethiopia, Algeria and Poland (see A/C.3/42/SR.60).

6. At the 61st meeting, on 27 November, the representative of Egypt orally proposed amendments to the draft resolution, by which:

(a) The words "and peoples" would be added at the end of the first preambular paragraph;

(b) The phrase "based on values and the morality which developed through ages of human sufferings and the fight against all types of vices and evils" would be added at the end of the second preambular paragraph;

(c) In the fifth preambular paragraph, the words ", morally oriented," would be inserted between the words "specific programmes" and "concerning".

7. The representative of Egypt also orally proposed a sub-amendment to the amendments contained in document A/C.3/42/L.90, by which the words "if they are based on values of religion and morality" would be added after the word "society" in both amendments.

8. Statements were made by the representatives of Algeria, Peru, Colombia and India (see A/C.3/42/SR.61).

9. At the same meeting, the representative of the Netherlands made a statement in which he withdrew his amendments contained in A/C.3/42/L.90.

10. Statements were made by the representatives of Poland, Belgium, Peru, India, Algeria, Egypt and the Union of Soviet Socialist Republics (see A/C.3/42/SR.61).

11. At the same meeting, the Chairman informed the Committee that the representative of Egypt had withdrawn his oral amendments to the draft resolution.

12. Also at the same meeting, the representative of Sweden proposed the deletion of the words "as a matter of high priority" in operative paragraph 3 of the draft resolution.

13. At the 62nd meeting, on 27 November, the representative of Poland made a statement in which he accepted the oral amendment proposed by the representative of Sweden (see A/C.3/42/SR.62).

14. At the same meeting, following statements by the representatives of the Netherlands, the United States of America and Egypt, the Committee adopted draft resolution A/C.3/42/L.5, as orally amended, by a recorded vote of 124 to 3, with 8 abstentions (see para. 112, draft resolution I). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, Netherlands, United States of America.

Abstaining: Denmark, Finland, France, Iceland, Japan, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland.

15. At the 63rd meeting, on 27 November, statements were made by the representatives of New Zealand, Sweden (on behalf of the Nordic countries) and Austria (see A/C.3/42/SR.63).

C. Draft decision A/C.3/42/L.8

16. At its 57th meeting, on 25 November 1986, the Third Committee decided to adjourn the debate on a draft decision entitled "Programme of work of the Third Committee" until the forty-second session of the Assembly. The draft decision (see A/C.3/42/L.8) read as follows:

"The General Assembly decides to consider the following items every two years, beginning at its forty-first session:

- "85. Question of aging
- "90. Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons
- "94. Elimination of all forms of religious intolerance
- "95. Human rights and scientific and technological developments
- "101. Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (with the exception of the question related to the right of development)".

17. At the 61st meeting, on 27 November 1987, on the proposal of the Chairman, the Committee decided to recommend the General Assembly to defer consideration of draft decision A/C.3/42/L.8 to its forty-third session (see para. 113, draft decision I).

D. Draft resolution A/C.3/42/L.40

18. At the 56th meeting, on 23 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Australia, Belgium, Canada, Costa Rica, Denmark, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (A/C.3/42/L.40) entitled "Question of human rights and fundamental freedoms in Afghanistan". Subsequently, Samoa joined in sponsoring the draft resolution.

19. At the 61st meeting, on 27 November, following statements by the representatives of the Dominican Republic, the Union of Soviet Socialist Republics, Pakistan, Mongolia and Colombia (see A/C.3/42/SR.61), the Committee adopted draft resolution A/C.3/42/L.40 by a recorded vote of 85 to 21, with 28 abstentions (see para. 112, draft resolution II). The voting was as follows:

In favour: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Botswana, Brazil, Brunei Darussalam, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Democratic Kampuchea, Denmark, Egypt, El Salvador, Fiji, France, Gabon, Germany, Federal Republic of, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Luxembourg, Malawi, Malaysia, Malta, Mexico, Morocco, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Qatar, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Algeria, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, India, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mongolia, Nicaragua, Poland, Romania, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Benin, Bhutan, Bolivia, Burkina Faso, Burma, Burundi, Cameroon, Congo, Cyprus, Ecuador, Finland, Ghana, Iraq, Kuwait, Maldives, Mali, Mauritania, Nepal, Nigeria, Sri Lanka, Suriname, Trinidad and Tobago, Uganda, United Republic of Tanzania, Yugoslavia, Zaire, Zambia, Zimbabwe.

20. At the same meeting, the representative of Singapore made a statement (see A/C.3/42/SR.61).

21. At the 63rd meeting, on 27 November, the representative of Afghanistan made a statement (see A/C.3/42/SR.63).

E. Draft resolution A/C.3/42/L.48

22. At the 56th meeting, on 23 November, the representative of Belgium, on behalf of Antigua and Barbuda, Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (A/C.3/42/L.48) entitled "Situation of human rights in the Islamic Republic of Iran". Subsequently, Samoa joined in sponsoring the draft resolution.

23. At the 61st meeting, on 27 November, statements were made by the representatives of the Dominican Republic, Indonesia and Singapore (see A/C.3/42/SR.61).



24. At the same meeting, the representative of Pakistan moved, under rule 116 of the rules of procedure of the General Assembly, that no action be taken on the draft resolution.

25. Statements in favour of the motion were made by the representatives of India and the Syrian Arab Republic and against the motion by the representatives of the Federal Republic of Germany and Belgium.

26. The Committee rejected the motion by a recorded vote of 57 to 19, with 37 abstentions. The voting was as follows:

In favour: Algeria, Angola, China, Cuba, Democratic Yemen, Ethiopia, India, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mozambique, Nicaragua, Oman, Pakistan, Romania, Sri Lanka, Syrian Arab Republic, United Arab Emirates, United Republic of Tanzania.

Against: Antigua and Barbuda, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Botswana, Canada, Central African Republic, Chad, Colombia, Costa Rica, Côte d'Ivoire, Denmark, El Salvador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Guatemala, Haiti, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lesotho, Liberia, Luxembourg, Malta, Mexico, Morocco, Netherlands, New Zealand, Norway, Paraguay, Peru, Philippines, Portugal, Rwanda, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Swaziland, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstaining: Argentina, Benin, Bolivia, Brazil, Brunei Darussalam, Burkina Faso, Burma, Burundi, Cameroon, Comoros, Cyprus, Ecuador, Egypt, Gabon, Ghana, Malawi, Malaysia, Mali, Mauritania, Nepal, Niger, Nigeria, Panama, Saudi Arabia, Senegal, Singapore, Somalia, Suriname, Thailand, Trinidad and Tobago, Tunisia, Turkey, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

27. At the same meeting, the Committee adopted draft resolution A/C.3/42/L.18 by a recorded vote of 58 to 22, with 42 abstentions (see para. 112, draft resolution III). The voting was as follows:

In favour: Antigua and Barbuda, Australia, Austria, Bahamas, Barbados, Belgium, Belize, Botswana, Canada, Central African Republic, Chad, Colombia, Costa Rica, Côte d'Ivoire, Denmark, El Salvador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Grenada, Guatemala, Haiti, Honduras, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kenya, Lesotho, Liberia, Luxembourg, Malawi, Malta, Mexico, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Rwanda, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Swaziland, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Algeria, Angola, Bahrain, Brunei Darussalam, Cuba, Democratic Yemen, Ethiopia, Indonesia, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, Malaysia, Niger, Oman, Pakistan, Qatar, Romania, Somalia, Sri Lanka, Syrian Arab Republic, United Arab Emirates, United Republic of Tanzania.

Abstaining: Argentina, Bangladesh, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burkina Faso, Burma, Burundi, Cameroon, Comoros, Congo, Cyprus, Ecuador, Egypt, Gabon, Ghana, Hungary, India, Japan, Maldives, Mali, Mauritania, Morocco, Nepal, Nicaragua, Nigeria, Saudi Arabia, Senegal, Singapore, Sudan, Suriname, Thailand, Trinidad and Tobago, Tunisia, Turkey, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

28. At the 63rd meeting, on 27 November, statements were made by the representatives of Japan and Morocco (see A/C.3/42/SR.63).

F. Draft resolution A/C.3/42/L.62 and amendments thereto contained in A/C.3/42/L.92 and L.93

29. At the 58th meeting, on 24 November, the representative of El Salvador, on behalf of Belize, Costa Rica, El Salvador, Guatemala, Equatorial Guinea and Honduras, introduced a draft resolution (A/C.3/42/L.62) entitled "Situation of human rights and fundamental freedoms in El Salvador". Subsequently, Guatemala withdrew as sponsor of the draft resolution.

30. At the 61st meeting, on 27 November, the representative of the Dominican Republic made a statement (see A/C.3/42/SR.61).

31. At the 62nd meeting, on 27 November, the representative of Norway, on behalf of Denmark, Greece, Mexico, the Netherlands, Norway, Panama, Spain, Sweden and Yugoslavia, introduced an amendment (A/C.3/42/L.92) to the draft resolution, which read as follows:

"Replace the text of operative paragraph 10 by the following:

'Requests the Commission on Human Rights at its forty-fourth session to continue to consider the evolution of the situation of human rights in El Salvador.'

32. Statements were made by the representatives of Peru, Mexico and Norway (see A/C.3/42/SR.62).

33. At the 64th meeting, on 30 November, the Chairman informed the Committee that the amendment contained in document A/C.3/42/L.92 had been withdrawn by the sponsors.

34. At the same meeting, the representative of Peru, on behalf of Argentina, Brazil, Colombia, Mexico, Panama, Peru, Uruguay and Venezuela, introduced amendments (A/C.3/42/L.93) to the draft resolution, which read as follows:

'After the third preambular paragraph, the text of the draft resolution should read as follows:

'Considering that there is an armed conflict of a non-international character in El Salvador in which the parties involved are under an obligation to apply the minimum standards of protection of human rights and humanitarian treatment provided for in article 3 common to the Geneva Conventions of 1949 and in Additional Protocol II thereto, of 1977,

'Noting that the Special Representative points out in his report that the question of human rights continues to be an important element of the current policy of the Government of El Salvador which, within the process of democratic normalization, is achieving increasingly significant and commendable results,

'Concerned, however, because violations of human rights are continuing in El Salvador, particularly through the non-fulfilment of the humanitarian rules of war,

'Recalling that on 7 August 1987 the Central American Governments signed in Guatemala the "Procedure for the establishment of a firm and lasting peace in Central America", thus manifesting the political will and good faith to fulfil its provisions in order to achieve peace and stability in the region,

'Convinced that the strict fulfilment of the commitments assumed by the Government of El Salvador in the Guatemala Agreement will contribute to the promotion, respect and realization of human rights and fundamental freedoms in that country,

'Recognizing that the resumption of the dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario in the context of the Guatemala Agreement constitutes one of the best ways of achieving a solution which will help to improve the situation of human rights of the Salvadorian people,

'Aware that the negotiated political solution of the Salvadorian conflict can be cut short if external forces do not support the resumption of the dialogue but instead seek in different ways to spur the prolongation or intensification of the war, with ensuing grave effects on the situation of human rights and the possibilities of economic recovery in El Salvador,

'1. Commends the Special Representative for his report on the situation of human rights in El Salvador;

'2. Notes with interest and emphasizes that it is important that the Special Representative indicated in his report that the question of respect for human rights is an important part of the policy of the Government of El Salvador, which is achieving increasingly significant and commendable results;

'3. Expresses, nevertheless, its concern at the fact that violations of human rights are continuing in El Salvador because inter alia of the non-fulfilment of the humanitarian rules of war;

'4. Trusts that the fulfilment of the undertaking assumed in the "Procedure for the establishment of a firm and lasting peace in Central America", will lead to an improvement of the situation of human rights and fundamental freedoms in El Salvador;

'5. Expresses its consternation at the assassination of the Co-ordinator of the Commission of Human Rights (non-governmental) and trusts that the authorities of El Salvador will continue investigations leading to the punishment of those responsible;

'6. Recognizes the efforts made by the Government of El Salvador related to the result of the most recent investigations designed to determine the responsibility of the authors of the assassination of Monsignor Romero and also recognizes the importance of the return to El Salvador of the political leaders of the Frente Democrático Revolucionario;

'7. Is gratified that, with the intention of humanizing the conflict, the Government and the Frente Farabundo Martí para la Liberación Nacional agreed this year that the evacuations of war wounded for medical attention should be conducted in the future unaffected by new changes and negotiations;

'8. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario to continue, within the framework of the Guatemala Agreement, the dialogue, until the achievement of a global political solution which will end the armed conflict and promote the broadening and strengthening of a democratic, pluralistic and participatory process which will involve the promotion of social justice, respect for human rights, and the full

exercise of the right of the Salvadorian people to determine freely and without external interference of any kind its economic, political and social system;

'9. Requests the competent bodies of the United Nations to provide any advice and assistance which the Government of El Salvador may require in order to enhance the promotion and protection of human rights and fundamental freedoms;

'10. Requests the Commission on Human Rights at its forty-fourth session to consider the situation of human rights in El Salvador and the mandate of its Special Representative, taking into account the evolution of the situation of human rights in El Salvador and the developments linked to the fulfilment of the Guatemala Agreement;

'11. Decides to keep under consideration, during its forty-third session, the situation of human rights and fundamental freedoms in El Salvador in order to re-examine this situation in the light of the information provided by the Commission on Human Rights and the Economic and Social Council.'

35. Statements were made by the representatives of Belgium and Peru, as well as by the Secretary of the Committee (see A/C.3/42/SR.64).

36. The representative of El Salvador, on behalf of the sponsors of draft resolution A/C.3/42/L.62, made a statement in which he withdrew the draft resolution.

37. At the same meeting, the representative of Peru, on behalf of the sponsors of document A/C.3/42/L.93, invoked rule 122 of the rules of procedure of the General Assembly and reintroduced the draft resolution contained in document A/C.3/42/L.62, as amended by document A/C.3/42/L.93.

38. Also at the same meeting, following statements by the representatives of the United Kingdom of Great Britain and Northern Ireland, Morocco, the Federal Republic of Germany, Sweden and the Bahamas, as well as by the Chairman, the Committee adopted draft resolution A/C.3/42/L.62, as amended, without a vote (see para. 112, draft resolution IV).

39. Statements were made by the representatives of El Salvador and Sweden.

#### G. Draft resolution A/C.3/42/L.70

40. At the 58th meeting, on 24 November, the representative of Lesotho, on behalf of Algeria, Angola, Bahamas, Barbados, Botswana, Brazil, Burkina Faso, Cameroon, the Central African Republic, Chira, Comoros, Côte d'Ivoire, Djibouti, Egypt, Ethiopia, Guinea, Indonesia, Kenya, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Morocco, Niger, Nigeria, the Philippines, Rwanda, Senegal, Sierra Leone, Somalia, the Sudan, Suriname, Swaziland, Togo, Trinidad and

Tobago, Uganda, the United Republic of Tanzania, Yugoslavia, Zaire, Zambia and Zimbabwe introduced a draft resolution (A/C.3/42/L.70) entitled "Assistance to student refugees in southern Africa". Subsequently, Cuba joined in sponsoring the draft resolution.

41. At the 61st meeting, on 27 November, the Committee adopted draft resolution A/C.3/42/L.70 without a vote (see para. 112, draft resolution V).

#### H. Draft resolution A/C.3/42/L.71

42. At the 58th meeting, on 24 November, the representative of Chile introduced a draft resolution (A/C.3/42/L.71) entitled "Situation of human rights and fundamental freedoms in Mexico", which read as follows:

"The General Assembly,

"Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 5/ and the International Covenants on Human Rights, 6/

"Conscious that one of the fundamental tasks of the United Nations is to ensure that Member States respect, promote and strengthen human rights,

"Reaffirming that the Governments of all Member States have a duty to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have entered into under various international instruments,

"Expressing its profound concern at the continuing serious violations of human rights in Mexico, particularly violations of the right to life, the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment, the right to freedom and personal safety and the right not to be subjected to arbitrary detention or imprisonment,

"Concerned also at the constant complaints of fraud and lack of freedom in Mexico's electoral process,

"Alarmed that the steady deterioration of the human rights situation in Mexico is particularly affecting that country's most vulnerable groups, namely the indigenous and peasant populations, especially in the states of Oaxaca and Chiapas,

"Considering certain reports drafted by various non-governmental organizations, publicizing serious human rights violations in Mexico,

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5/ Resolution 217 A (III).

6/ Resolution 2200 A (XXI), annex.

"1. Deplores the fact that actions are taking place in Mexico which are incompatible with the provisions of international instruments binding on the Government of that country;

"2. Requests the Government of Mexico to respect and promote proper observance of the human rights and fundamental freedoms of all persons within its territory and subject to its jurisdiction, particularly the victims of the main human rights violations, for instance, the indigenous population;

"3. Urges the Government of Mexico, as a party to the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, <sup>7/</sup> to put an immediate end to all forms of physical and psychological torture and show real respect for the rights to life and physical and moral integrity, as well as to intimidation or persecution, abduction, arbitrary arrest and imprisonment in solitary confinement for prolonged periods;

"4. Expresses also its profound concern at the ineffectiveness of the Government's authorities in preventing the ill-treatment of individuals, especially peasants and indigenous persons, by the police and security forces and, in particular, at the fact that the competent police authorities have failed to take the necessary steps to investigate thoroughly and prosecute those responsible for numerous unresolved cases of murder, abduction, disappearance and torture;

"5. Demands that, for the above reasons, the Mexican authorities take urgent judicial and administrative action to investigate all complaints of death, torture, abduction and other human rights violations by the police and security forces and to punish those responsible for such violations;

"6. Also urges the Government of Mexico to respond to the demands of different social and political sectors for the establishment of a system which would generate free political authorities with the necessary safeguards;

"7. Expresses also its concern at the continuing restrictions imposed by the Government of Mexico on the exercise of the rights of freedom of speech and freedom of the press, through the use of intimidation and repression against journalists and opposition politicians;

"8. Requests the Commission on Human Rights to appoint a Special Rapporteur to study the situation of human rights and fundamental freedoms in Mexico;

"9. Decides to consider the situation of human rights and fundamental freedoms in Mexico at its next session."

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<sup>7/</sup> Resolution 39/46, annex.

43. At the same meeting, statements were made by the representatives of Mexico and Chile (see A/C.3/42/SR.58).

44. At the 61st meeting, on 27 November, the Committee was informed that the representative of Chile, in his statement made during the general discussion under item 12 (see A/C.3/42/SR.60), had withdrawn draft resolution A/C.3/42/L.71.

I. Draft resolution A/C.3/42/L.72 and amendments thereto  
contained in A/C.3/42/L.91

45. At the 58th meeting, on 24 November, the representative of Zaire, on behalf of Afghanistan, Algeria, Angola, Argentina, Benin, Bolivia, Botswana, Burkina Faso, China, the Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic Yemen, Djibouti, Egypt, Ethiopia, Ghana, Greece, Guinea, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Kenya, the Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Morocco, Niger, Nigeria, Poland, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Swaziland, Togo, Trinidad and Tobago, Uganda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zaire and Zambia, introduced a draft resolution (A/C.3/42/L.72) entitled "Assistance to displaced persons in Ethiopia". Subsequently, Austria, Cameroon, Colombia, Japan, Mauritania, Mongolia, Mozambique, Nicaragua, Pakistan, the Syrian Arab Republic and Zimbabwe joined in sponsoring the draft resolution.

46. At the same meeting, statements were made by the representatives of the United States of America and Ethiopia (see A/C.3/42/SR.58).

47. At the 60th meeting, on 25 November, the representative of the United States of America introduced an amendment (A/C.3/42/L.91) to the draft resolution, which read as follows:

"Page 2

"After operative paragraph 4, add the following new operative paragraph:

'5. Calls upon all parties to facilitate, in a manner consistent with individual human rights and fundamental freedoms, the disbursement of humanitarian assistance to displaced persons, refugees, victims of natural disasters and all civilians in need without distinction, and particularly ensure that convoys of humanitarian assistance are unmolested.'

48. At the 61st meeting, on 27 November, the representative of Ethiopia moved, under rule 116 of the rules of procedure of the General Assembly, that no action be taken on the amendment contained in document A/C.3/42/L.91.

49. Statements in favour of the motion were made by the representatives of the Byelorussian Soviet Socialist Republic and Kenya and against the motion by the representatives of the Federal Republic of Germany and the United States of America.



50. The Committee adopted the motion by a recorded vote of 57 to 31, with 32 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Guinea, Haiti, Hungary, India, Indonesia, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mongolia, Mozambique, Nicaragua, Niger, Nigeria, Panama, Poland, Romania, Rwanda, Senegal, Suriname, Swaziland, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Central African Republic, Chad, Chile, Costa Rica, Denmark, Dominican Republic, El Salvador, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Israel, Japan, Luxembourg, Morocco, Netherlands, New Zealand, Norway, Portugal, Saint Vincent and the Grenadines, Samoa, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstaining: Argentina, Austria, Bolivia, Brunei Darussalam, Burma, Comoros, Ecuador, Fiji, Gabon, Greece, Italy, Jamaica, Jordan, Lebanon, Liberia, Malaysia, Maldives, Mexico, Nepal, Oman, Paraguay, Peru, Philippines, Saudi Arabia, Singapore, Solomon Islands, Somalia, Sri Lanka, Thailand, Tunisia, Turkey, Uruguay.

51. At the same meeting, the Committee adopted draft resolution A/C.3/42/L.72 by a recorded vote of 137 to none, with 2 abstentions (see para. 112, draft resolution VI). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco,

Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Senegal, Singapore, Solomon Islands, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Saudi Arabia, United States of America.

52. At the 63rd meeting, on 27 November, statements were made by the representatives of the United States of America and France (see A/C.3/42/SR.63).

J. Draft resolution A/C.3/42/L.76

53. At the 58th meeting, on 24 November, the representative of Mexico, on behalf of Algeria, Argentina, Bolivia, China, Colombia, Ecuador, Greece, India, Italy, Mali, Mauritania, Mexico, Morocco, Nicaragua, Pakistan, Peru, the Philippines, Portugal, Rwanda, Senegal, Spain, Tunisia, Turkey and Yugoslavia introduced a draft resolution (A/C.3/42/L.76) entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers".

54. At the same meeting, the Committee was informed that the statement by the Secretary-General on the programme budget implications of the draft resolution, submitted in accordance with rule 153 of the rules of procedure of the General Assembly, was contained in document A/C.3/42/L.81.

55. At the same meeting, the Committee adopted draft resolution A/C.3/42/L.76 by a recorded vote of 132 to 1, with 3 abstentions (see para. 112, draft resolution VII). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Canada, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland.

56. At the 63rd meeting, on 27 November, statements were made by the representatives of the Federal Republic of Germany, the United States of America, the United Kingdom of Great Britain and Northern Ireland and Canada (see A/C.3/42/SR.63).

K. Draft resolution A/C.3/42/L.82

57. At the 58th meeting, on 24 November, the representative of Denmark, on behalf of Argentina, Australia, Austria, Belgium, Canada, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Finland, France, Greece, Iceland, Italy, Kenya, Luxembourg, Morocco, the Netherlands, Norway, Portugal, Senegal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Zambia, introduced a draft resolution (A/C.3/42/L.82) entitled "Summary or arbitrary executions". Subsequently, Ecuador and Samoa joined in sponsoring the draft resolution.

58. At the same meeting, statements were made by the representatives of Belgium and India (see A/C.3/42/SR.58).

59. At the 61st meeting, on 27 November, the Committee adopted draft resolution A/C.3/42/L.82 without a vote (see para. 112, draft resolution VIII).

60. At the 63rd meeting, on 27 November, the representative of the United States of America made a statement (see A/C.3/42/SR.63).

L. Draft resolution A/C.3/42/L.83

61. At the 58th meeting, on 24 November, the representative of France, on behalf of Austria, Belgium, Canada, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, France, Germany, Federal Republic of, Greece, Italy, the Netherlands, Norway, Peru, Portugal, Rwanda, Senegal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia, introduced a draft resolution (A/C.3/42/L.83) entitled "Question of enforced or involuntary disappearances". Subsequently, Samoa and the United States of America joined in sponsoring the draft resolution.

62. At the 61st meeting, on 27 November, the Committee adopted draft resolution A/C.3/42/L.83 without a vote (see para. 112, draft resolution IX).

M. Draft resolution A/C.3/42/L.84

63. At the 58th meeting, on 24 November, the representative of Austria, on behalf of Argentina, Australia, Austria, Canada, Costa Rica, Denmark, Germany, Federal Republic of, Italy, the Netherlands, New Zealand, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (A/C.3/42/L.84) entitled "Human rights in the administration of justice". Subsequently, Finland, Norway and Samoa joined in sponsoring the draft resolution.

64. In introducing the draft resolution, the representative of Austria orally revised it by adding a new paragraph at the end of the preambular section, as follows:

'Convinced of the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice".

65. At the same meeting, statements were made by the representatives of Morocco and Austria (see A/C.3/42/SR.58).

66. At the 62nd meeting, on 27 November, the representative of Austria orally revised the draft resolution as follows:

(a) In the fifth preambular paragraph, the phrase "proposals for the elaboration of a second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty, as well as to" was deleted;

(b) In operative paragraph 5, the words "Requests the Secretary-General to continue to devise" were replaced by the words "Encourages the continuing development of"; and the words "of measures" were inserted between the words "of justice and" and "to assist Member States".

67. Statements were made by the representatives of Morocco and Burkina Faso (see A/C.3/42/SR.62).

68. At the same meeting, the Committee voted on the draft resolution as follows:

(a) The fifth preambular paragraph, as orally revised, was adopted by 95 votes to 1, with 23 abstentions;

(b) Draft resolution A/C.3/42/L.84 as a whole, as orally revised, was adopted without a vote (see para. 112, draft resolution X).

69. At the 63rd meeting, on 27 November, statements were made by the representatives of the United States of America and Malaysia (see A/C.3/42/SR.63).

N. Draft resolutions A/C.3/42/L.85 and Rev.1

70. At the 58th meeting, on 24 November, the representative of Canada, on behalf of Australia, Canada, Colombia, Costa Rica, Germany, Federal Republic of, Greece, Guatemala, Honduras, Japan, Jordan, Pakistan, Senegal, Somalia, the Sudan, Thailand and the United States of America, introduced a draft resolution (A/C.3/42/L.85) entitled "Human rights and mass exoduses", which read as follows:

"The General Assembly,

"Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

"Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

"Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur on this subject 8/ and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 9/

"Aware of the recommendations concerning mass exoduses made by the Commission on Human Rights to its Sub-Commission on Prevention of Discrimination and Protection of Minorities and to special rapporteurs when studying violations of human rights in any part of the world,

"Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

"Stressing the need for international co-operation aimed at averting new massive flows of refugees in parallel with the provision of durable solutions to actual refugee situations,

"Taking note again of the report of the Secretary-General on human rights and mass exoduses, 10/

"Welcoming the endorsement by the General Assembly at its forty-first session of the recommendations and conclusions contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 9/

"Recalling General Assembly resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983, 39/117 of 14 December 1984, 40/149 of 13 December 1985, 41/70 of 3 December 1986 and 41/148 of 4 December 1986, and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980, 11/ 29 (XXXVII) of 11 March 1981, 12/ 1982/32 of

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8/ E/CN.4/1503.

9/ A/41/324, annex.

10/ A/38/539.

11/ See Official Records of the Economic and Social Council, 1980, Supplement No. 3 (E/1980/13 and Corr.1), chap. XXVI, sect. A.

12/ Ibid., 1981, Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

11 March 1982, 13/ 1983/35 of 8 March 1983, 14/ 1984/49 of 14 March 1984, 15/ 1985/40 of 13 March 1985, 16/ 1986/45 of 12 March 1986, 17/ and 1987/56 of 11 March 1987, 18/

"Welcoming the steps taken by the Secretary-General to establish an early warning system, as mentioned in his report on the work of the Organization to the General Assembly at its forty-first session, 19/

"1. Welcomes the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes;

"2. Welcomes the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the main organs of the United Nations should make fuller use of their respective competencies under the Charter for the prevention of new massive flows of refugees and displaced persons, with a view to considering at the earliest possible stage situations and problems which could give rise to massive flows of refugees and displaced persons;

"3. Welcomes the Secretary-General's decision to establish an office for research and the collection of information, responsible, inter alia, for the provision of early warning of developing situations requiring his attention and the monitoring of factors related to possible flows of refugees and displaced persons and comparable emergencies and the preparation of plans for possible responses;

"4. Invites all Governments and concerned international organizations to intensify their co-operation and assistance in world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

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13/ Ibid., 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.

14/ Ibid., 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

15/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1). chap. II, sect. A.

16/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

17/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

18/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

19/ Official Records of the General Assembly, Forty-first Session, Supplement No. 1 (A/41/1).

"5. Requests all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons;

"6. Requests the Secretary-General to report to the General Assembly at its forty-third session on developments relating to the elaboration of this early warning unit;

"7. Invites the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to making appropriate recommendations concerning further measures to be taken in this matter;

"8. Decides to continue consideration of the issue of human rights and mass exoduses at its forty-third session."

71. At the 61st meeting, on 27 November, the representative of Canada, on behalf of the original sponsors as well as Samoa, introduced a revised draft resolution (A/C.3/42/L.85/Rev.1) and further orally revised the eighth preambular paragraph by replacing the phrase "Reaffirming its endorsement at its forty-first session of the recommendations" by the words "Recalling that the General Assembly at its forty-first session took note of the recommendations".

72. The representative of Senegal made a statement (see A/C.3/42/SR.61).

73. At the same meeting, the Committee adopted draft resolution A/C.3/42/L.85/Rev.1, as orally revised, without a vote (see para. 112, draft resolution XI).

O. Draft resolution A/C.3/42/L.86

74. At the 58th meeting, on 24 November, the representative of Cuba, on behalf of Bulgaria, Burkina Faso, Cuba, the Lao People's Democratic Republic, Nicaragua and Viet Nam, introduced a draft resolution (A/C.3/42/L.86) entitled "Improvement of social life".

75. At the 61st meeting, on 27 November, the representative of Cuba orally revised the draft resolution by deleting operative paragraph 2.

76. The representative of the United States of America made a statement (see A/C.3/42/SR.61).

77. At the same meeting, the Committee adopted draft resolution A/C.3/42/L.86, as orally revised, by a recorded vote of 111 to 18, with 7 abstentions (see para. 112, draft resolution XII). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon,



Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, German Democratic Republic, Grenada, Guinea, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Finland, Greece, Guatemala, Ireland, Japan, Spain, Sweden.

P. Draft resolution A/C.3/42/L.87

78. At the 58th meeting, on 24 November, the representative of Mongolia, on behalf of Afghanistan, Botswana, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, the German Democratic Republic, Guyana, Kenya, the Libyan Arab Jamahiriya, Mongolia, Nicaragua, Nigeria, Poland, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and Viet Nam, introduced a draft resolution (A/C.3/42/L.87) entitled "Realization of the right to adequate housing".

79. At the 61st meeting, on 27 November, the representative of Mongolia made a statement (see A/C.3/42/SR.61).

80. At the 62nd meeting, on 27 November, the representative of Mongolia, on behalf of the sponsors, orally revised the draft resolution as follows:

(a) Operative paragraph 4, which read:

"Requests the Commission on Social Development, the Commission on Human Rights and the Economic and Social Council to give due consideration to the question at their sessions on a regular basis"

was revised to read:

"Requests the Economic and Social Council and its appropriate functional commissions to keep the question of the right to adequate housing under periodic review";

(b) In operative paragraph 5, the words "forty-third session" were replaced by the words "forty-fourth session".

81. At the same meeting, statements were made by the representatives of Australia, Bulgaria, Mongolia, Egypt and the Byelorussian Soviet Socialist Republic (see A/C.3/42/SR.62).

82. Also at the same meeting, the representative of Australia orally proposed an amendment to operative paragraph 5 of the draft resolution whereby the phrase "at its forty-fourth session under the agenda item 'Report of the Economic and Social Council'" would be replaced by the phrase "again, following its consideration by the Economic and Social Council".

83. Statements were made by the representatives of Belgium and Malawi.

84. The representative of Mongolia, on behalf of the sponsors, accepted the proposed amendment from Australia.

85. The representative of the United States of America made a statement and requested a recorded vote on the draft resolution (see A/C.3/42/SR.62).

86. At the same meeting, the Committee adopted draft resolution A/C.3/42/L.87, as orally revised and amended, by a recorded vote of 139 to none, with 1 abstention (see para. 112, draft resolution XIII). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the

Grenadines, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: United States of America.

87. At the 63rd meeting, on 27 November, the representative of Japan made a statement (see A/C.3/42/SR.63).

Q. Draft resolution A/C.3/42/L.88

88. At the 59th meeting, on 25 November, the representative of Mexico, on behalf of Algeria, Australia, Austria, Cuba, Denmark, France, Greece, Italy, Luxembourg, Mexico, the Netherlands, Norway, Portugal, Spain, Sweden and Yugoslavia, introduced a draft resolution (A/C.3/42/L.88) entitled "Situation of human rights and fundamental freedoms in Chile".

89. At the 61st meeting, on 27 November, statements were made by the representatives of the Dominican Republic and Indonesia (see A/C.3/42/SR.61).

90. At the same meeting, the representative of Uruguay made a statement.

91. At the 62nd meeting, on 27 November, the representative of Mexico orally revised operative paragraph 10 (e) of the draft resolution, which had read:

"Investigate and clarify the fate of persons who have been arrested and subsequently disappeared, without, however, allowing the application of amnesty law 2191 of 18 April 1978 to obstruct the identification and prosecution of those responsible"

to read:

"Investigate and clarify without further delay the fate of persons arrested for political reasons, who have subsequently disappeared".

92. Following statements by the representatives of Chile and Paraguay, the Committee adopted draft resolution A/C.3/42/L.88, as orally revised, by a recorded vote of 81 to 5, with 47 abstentions (see para. 112, draft resolution XIV). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Barbados, Belgium, Benin, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Canada, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Hungary, Iceland, India, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Chile, Indonesia, Lebanon, Paraguay, Thailand.

Abstaining: Bahamas, Bahrain, Bangladesh, Bhutan, Brazil, Brunei Darussalam, Burma, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Côte d'Ivoire, Democratic Kampuchea, Ecuador, Egypt, Fiji, Ghana, Grenada, Haiti, Honduras, Iraq, Israel, Japan, Jordan, Liberia, Malawi, Malaysia, Maldives, Morocco, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Saint Vincent and the Grenadines, Singapore, Solomon Islands, Somalia, Suriname, Trinidad and Tobago, Turkey, United States of America, Yemen, Zaire.

93. At the 63rd meeting, on 27 November, statements were made by the representatives of the United States of America, Japan, Uruguay, the United Kingdom of Great Britain and Northern Ireland and Canada (see A/C.3/42/SR.63).

R. Draft resolutions A/C.3/42/L.89 and Rev.1

94. At the 58th meeting, on 24 November, the representative of the Ukrainian Soviet Socialist Republic, on behalf of Czechoslovakia, Hungary, the Ukrainian Soviet Socialist Republic and Viet Nam, introduced a draft resolution (A/C.3/42/L.89) entitled "Strengthening of international co-operation in the field of human rights". Subsequently, the Lao People's Democratic Republic joined in sponsoring the draft resolution, which read as follows:

"The General Assembly,

"Recalling that the purposes of the United Nations include the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms,

"Desirous of achieving further progress in international co-operation in the field of promoting and encouraging respect for human rights and fundamental freedoms,

"Considering that such international co-operation should be based on the principles embodied in the Universal Declaration of Human Rights, 20/ the International Covenant on Civil and Political Rights, 21/ the International Covenant on Economic, Social and Cultural Rights 21/ and other relevant international instruments,

"Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities, the difference in levels of development and the variety of problems existing in different societies because of the different historical paths of development which they have followed,

"Emphasizing the necessity for the international community to continue its efforts to take practical measures to prevent mass and flagrant violations of human rights and fundamental freedoms affected by situations that jeopardize international peace and security, all forms of discrimination, particularly apartheid and racism, as well as colonialism, foreign occupation and domination, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of peoples to self-determination,

"Recalling its resolution 41/155 of 4 December 1986 and Commission on Human Rights resolution 1987/42 of 10 March 1987, 22/

"Taking into consideration the report of the Secretary-General, 23/

"Noting that not all States have yet communicated their views on means and methods of strengthening international co-operation in the field of human rights,

"1. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

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20/ Resolution 217 A (III).

21/ See resolution 2200 A (XXI), annex.

22/ See Official Records of the Economic and Social Council, 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

23/ A/42/612 and Add.1.

"2. Considers that such co-operation should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

"3. Considers also that respect for human rights and the development of co-operation between States in this field are closely bound up with the reduction of international tension and the establishment of relations of harmony and confidence between States;

"4. Expresses its conviction that the review and consideration of issues related to the promotion and exercise of human rights, as well as the adoption of decisions on these issues, should promote international political co-operation among States, the dispelling of prejudices and the identification of real problems with a view to their constructive solution;

"5. Emphasizes that co-operation in the field of human rights should be guided by justice and equality, with due respect for the dignity of all people without any discrimination;

"6. Emphasizes also that in such co-operation, special importance should be attached to the identification of ideas and values which will facilitate the creation of a situation of mutual understanding and trust, and that no manifestations of hostility in relations and expressions of views should be tolerated;

"7. Notes the important place that the promotion and protection of human rights has secured on the international agenda and in relations between States, and emphasizes in this connection the importance and role in assessing the activity of States in this sphere of existing international mechanisms established on the basis of the international covenants and other conventions;

"8. Invites all States which have not yet done so to communicate their views on means and methods of strengthening international co-operation in the field of human rights, and in so doing to reflect the measures they have taken for achieving such co-operation;

"9. Requests the Commission on Human Rights to consider at its forty-fourth session the question of the conduct of international co-operation in the field of human rights;

"10. Requests the Secretary-General to prepare, on the basis of the information received from Governments and taking into account the work of the Commission on Human Rights at its forty-fourth session, a report on ways of developing and strengthening international co-operation in the field of human rights, and to submit the report to the General Assembly at its forty-third session;

"11. Decides to continue the consideration of this question at its forty-third session under the item entitled 'Report of the Economic and Social Council'."

95. At the 60th meeting, on 25 November, the representative of the Ukrainian Soviet Socialist Republic, on behalf of the sponsors, introduced a revised draft resolution (A/C.3/42/L.89/Rev.1), which read as follows:

"The General Assembly,

"Conscious that it is a purpose of the United Nations and the task of all Member States to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

"Desirous of achieving further progress in international co-operation in the field of promoting and encouraging respect for human rights and fundamental freedoms,

"Considering that such international co-operation should be based on the principles embodied in the Universal Declaration of Human Rights, 24/ the International Covenant on Civil and Political Rights, 25/ the International Covenant on Economic, Social and Cultural Rights 25/ and other relevant international instruments,

"Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities, the difference in levels of development and the variety of problems existing in different societies because of the different historical paths of development which they have followed,

"Considering that regional arrangements for the promotion and protection of human rights can make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions and within the United Nations system could be improved,

"Emphasizing the necessity for the international community to continue its efforts to take practical measures to prevent mass and flagrant violations of human rights and fundamental freedoms affected by situations that jeopardize international peace and security, all forms of discrimination, particularly apartheid and racism, as well as colonialism, foreign occupation and domination, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of peoples to self-determination,

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24/ Resolution 217 A (III).

25/ See resolution 2200 A (XXI), annex.

"Recalling its resolution 41/155 of 4 December 1986 and Commission on Human Rights resolution 1987/42 of 10 March 1987, 26/

"Taking into consideration the report of the Secretary-General, 27/

"Noting that not all States have yet communicated their views on means and methods of strengthening international co-operation in the field of human rights,

"1. Urges all States to co-operate fully with the United Nations in its study of violations of human rights and fundamental freedoms and their encouragement, protection and promotion in any part of the world, including by providing information in response to requests by the Secretary-General and United Nations working groups, special representatives and rapporteurs for such material;

"2. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

"3. Considers that such co-operation should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

"4. Affirms that a primary aim of international co-operation in the field of human rights is a life of freedom and dignity for each human being and for all peoples;

"5. Considers also that respect for human rights and the development of co-operation between States in this field are closely bound up with the reduction of international tension and the establishment of relations of harmony and confidence between States;

"6. Expresses its conviction that promotion of and respect for human rights and fundamental freedoms, the expansion of cultural, scientific and other ties among States and the development of human contacts are in the interest of all countries;

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26/ See Official Records of the Economic and Social Council, 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

27/ A/42/612 and Add.1.



"7. Reaffirms that it is of paramount importance for the promotion of human rights and fundamental freedoms that Member States should undertake specific obligations through accession to, or ratification of, international instruments in this field and that they should fully and effectively discharge their international legal obligations pursuant to such instruments;

"8. Invites Member States that have not yet done so to consider ratifying or acceding to the various treaties in the field of human rights;

"9. Expresses its conviction that the review and consideration of issues related to the promotion and exercise of human rights as well as the adoption of decisions on these issues, should promote international political co-operation among States, the dispelling of prejudices and the identification of real problems with a view to their constructive solution;

"10. Emphasizes that co-operation in the field of human rights should be guided by justice and equality, with due respect for the dignity of all people without any discrimination;

"11. Emphasizes also that in such co-operation, special importance should be attached to the identification of ideas and values which will facilitate the creation of a situation of mutual understanding and trust, and that no manifestations of hostility in relations and expressions of views should be tolerated;

"12. Emphasizes further that the collection, analysis and dissemination of information about human rights is an important task and should contribute to the understanding of problems existing in different societies and improve awareness of differing economic, social and cultural realities;

"13. Notes the important place that the promotion and protection of human rights has secured on the international agenda and in relations between States, and emphasizes in this connection the importance and role in assessing the activity of States in this sphere of existing international mechanisms established on the basis of the international covenants and other conventions;

"14. Invites all States which have not yet done so to communicate their views on means and methods of strengthening international co-operation in the field of human rights, and in so doing to reflect the measures they have taken for achieving such co-operation;

"15. Requests the Commission on Human Rights to consider at its forty-fourth session the question of the conduct of international co-operation in the field of human rights;

"16. Requests the Secretary-General to prepare, on the basis of the information received from Governments and taking into account the work of the Commission on Human Rights at its forty-fourth session, a report on ways of developing and strengthening international co-operation in the field of human rights, and to submit the report to the General Assembly at its forty-third session;

"17. Decides to continue the consideration of this question at its forty-third session under the item entitled 'Report of the Economic and Social Council'."

96. At the same meeting, statements were made by the representatives of Costa Rica and Peru (see A/C.3/42/SR.60).

97. At the 61st meeting, on 27 November, the representative of the Ukrainian Soviet Socialist Republic made a statement (see A/C.3/42/SR.61).

98. At the 62nd meeting, on 27 November, the representative of Morocco proposed an amendment to the revised draft resolution, which called for the deletion of the phrase "and that no manifestations of hostility in relations and expressions of views should be tolerated" in operative paragraph 11.

99. At the same meeting, the representative of Costa Rica proposed amendments to the revised draft resolution by which:

(a) The words ", the Additional Optional Protocol," would be added, in the third preambular paragraph and in operative paragraph 2, after the words "the International Covenant on Civil and Political Rights";

(b) Operative paragraph 15 would be deleted;

(c) The phrase "and taking into account the work of the Commission on Human Rights at its forty-fourth session" in operative paragraph 16 would be deleted.

100. Also at the same meeting, the representative of Egypt proposed an amendment, which called for the deletion of the phrase "including by providing information in response to requests by the Secretary-General and United Nations working groups, special representatives and rapporteurs for such material" in operative paragraph 1.

101. At the same meeting, the representative of Australia proposed amendments to the revised draft resolution by which:

(a) In operative paragraph 1, the phrase "including by providing information in response to requests by the Secretary-General and United Nations working groups, special representatives and rapporteurs for such material" would be replaced by the words "including by respecting procedures established by the United Nations in this field";

(b) In operative paragraph 4, the word "peoples" would read "people";

(c) Operative paragraphs 5 and 9 would be replaced by the following text:

"Considers also that respect for human rights and the development of co-operation in this field are relevant and will contribute to the reduction of international tension, the establishment of better relations between States, the dispelling of prejudices and the identification of problems with a view to their constructive solution";

(d) Operative paragraph 11 would be deleted;

(e) In operative paragraph 13, the phrase "and emphasizes in this connection the importance and role in assessing the activity of States in this sphere of existing international mechanisms established on the basis of the international covenants and other conventions" would be deleted.

102. Statements were made by the representatives of Colombia, the Federal Republic of Germany, Egypt, Belgium, the Ukrainian Soviet Socialist Republic, Canada, France and Denmark, as well as by the Chairman (see A/C.3/42/SR.62).

103. At the 63rd meeting, on 27 November, the representative of the Ukrainian Soviet Socialist Republic further orally revised the draft resolution as follows:

(a) In the third preambular paragraph the words "in the Charter of the United Nations," were inserted after the words "principles embodied";

(b) The fourth preambular paragraph was deleted;

(c) The oral amendment to operative paragraph 1, proposed by Egypt, was accepted;

(d) The amendment to operative paragraphs 5 and 9, proposed by Australia was accepted;

(e) The proposal to delete operative paragraph 11 was also accepted;

(f) The amendment to operative paragraph 13 and the proposal to delete operative paragraph 15 were accepted.

104. The draft resolution, as orally revised, read as follows:

"The General Assembly,

"Conscious that it is a purpose of the United Nations and the task of all Member States to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

"Desirous of achieving further progress in international co-operation in the field of promoting and encouraging respect for human rights and fundamental freedoms,

"Considering that such international co-operation should be based on the principles embodied in the Charter of the United Nations, in the Universal

Declaration of Human Rights, 28/ the International Covenant on Civil and Political Rights, 29/ the International Covenant on Economic, Social and Cultural Rights 29/ and other relevant international instruments,

"Considering that regional arrangements for the promotion and protection of human rights can make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions and within the United Nations system could be improved,

"Emphasizing the necessity for the international community to continue its efforts to take practical measures to prevent mass and flagrant violations of human rights and fundamental freedoms affected by situations that jeopardize international peace and security, all forms of discrimination, particularly apartheid and racism, as well as colonialism, foreign occupation and domination, aggression and threats against national sovereignty, national unity and territorial integrity, as well as the refusal to recognize the fundamental rights of peoples to self-determination,

"Recalling its resolution 41/155 of 4 December 1986 and Commission on Human Rights resolution 1987/42 of 10 March 1987, 30/

"Taking into consideration the report of the Secretary-General, 31/

"Noting that not all States have yet communicated their views on means and methods of strengthening international co-operation in the field of human rights,

"1. Urges all States to co-operate fully with the United Nations in its study of violations of human rights and fundamental freedoms and their encouragement, protection and promotion in any part of the world;

"2. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

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28/ Resolution 217 A (III).

29/ See resolution 2200 A (XXI), annex.

30/ See Official Records of the Economic and Social Council, 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

31/ A/42/612 and Add.1.

"3. Considers that such co-operation should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

"4. Affirms that a primary aim of international co-operation in the field of human rights is a life of freedom and dignity for each human being and for all peoples;

"5. Considers also that respect for human rights and the development of co-operation in this field are relevant and will contribute to the reduction of international tension, the establishment of better relations between States, the dispelling of prejudices and the identification of problems with a view to their constructive solution;

"6. Expresses its conviction that promotion of and respect for human rights and fundamental freedoms, the expansion of cultural, scientific and other ties among States and the development of human contacts are in the interest of all countries;

"7. Reaffirms that it is of paramount importance for the promotion of human rights and fundamental freedoms that Member States should undertake specific obligations through accession to, or ratification of, international instruments in this field and that they should fully and effectively discharge their international legal obligations pursuant to such instruments;

"8. Invites Member States that have not yet done so to consider ratifying or acceding to the various treaties in the field of human rights;

"9. Emphasizes that co-operation in the field of human rights should be guided by justice and equality, with due respect for the dignity of all people without any discrimination;

"10. Emphasizes further that the collection, analysis and dissemination of information about human rights is an important task and should contribute to the understanding of problems existing in different societies and improve awareness of differing economic, social and cultural realities;

"11. Notes the important place that the promotion and protection of human rights has secured on the international agenda and in relations between States;

"12. Invites all States which have not yet done so to communicate their views on means and methods of strengthening international co-operation in the field of human rights, and in so doing to reflect the measures they have taken for achieving such co-operation;

"13. Requests the Secretary-General to prepare, on the basis of the information received from Governments and taking into account the work of the Commission on Human Rights at its forty-fourth session, a report on ways of developing and strengthening international co-operation in the field of human rights, and to submit the report to the General Assembly at its forty-third session;

"14. Decides to continue the consideration of this question at its forty-third session under the item entitled 'Report of the Economic and Social Council'."

105. At the same meeting, the representative of Australia proposed an amendment to operative paragraph 1 by which the word "study" would be replaced by the word "examination".

106. Also at the same meeting, following statements by the representatives of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, Ireland, Sweden, Canada, the United States of America, Costa Rica, the Ukrainian Soviet Socialist Republic, Belgium, Morocco and Bulgaria, the Committee decided to recommend the General Assembly to defer consideration of the draft resolution, as orally revised, to its forty-third session (see para. 113, draft decision II).

S. Draft decision relating to the in-depth study of the United Nations intergovernmental structure and functions in the economic and social fields

107. At the 63rd meeting, on 27 November, statements were made by the representatives of Australia, Algeria, the German Democratic Republic and Tunisia, as well as by the Chairman of the Committee (see A/C.3/42/SR.63).

108. At the 64th meeting, on 30 November, statements were made by the representatives of Guatemala (on behalf of the States Members of the United Nations that are members of the Group of 77), Australia, Bulgaria, Egypt, Mexico, India and Belgium (see A/C.3/42/SR.64).

109. At the same meeting, the Chairman made a statement in which he proposed, for the Committee's approval, a draft decision, which read as follows:

"The General Assembly requests the intergovernmental bodies in the social field that have not yet done so to submit their views and proposals to the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the Economic and Social Fields, in accordance with Economic and Social Council decision 1987/112 of 6 February 1987."

110. Also at the same meeting, the Committee adopted the draft decision without a vote (see para. 113, draft decision III).

T. Draft decision

111. At the 63rd meeting, on 27 November, on the proposal of the Chairman, the Committee recommended to the General Assembly that it take note of the note by the Secretary-General on strategy and policies for drug control (A/42/488), the report of the Secretary-General on human rights in southern Lebanon (A/42/504), the note

by the Secretary-General on the United Nations Voluntary Fund for Indigenous Populations (A/42/568) and the report of the Secretary-General on international co-operation in drug abuse control (A/42/658) (for the text, see para. 113, draft decision IV).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

DRAFT RESOLUTION I

Need to enhance international co-operation in the field  
of the protection of and assistance for the family

The General Assembly,

Mindful of the resolve of the peoples of the United Nations to promote social progress and better standards of life in larger freedom, with a view to the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations between nations,

Recalling that according to the International Covenant on Economic, Social and Cultural Rights, 32/ the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society,

Recalling also the Declaration on Social Progress and Development, 33/ which provides that the family, as a basic unit of society and the natural environment for the growth and well-being of all its members, particularly children and youth, should be assisted and protected so that it may fully assume its responsibilities within the community,

Convinced of the urgency of meeting the diverse needs of the family, both as a beneficiary and as an active participant of the development process,

Recognizing the necessity of consolidating the efforts of all States in carrying out specific programmes concerning the family, in which the United Nations may have an important role to play,

Aware of the international consensus on the importance of the role of the family as an agent of positive change in society,

Recalling Economic and Social Council resolutions 1983/23 of 26 May 1983 and 1985/29 of 29 May 1985,

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32/ General Assembly resolution 2200 A (XXI), annex.

33/ General Assembly resolution 2542 (XXIV).



Convinced that appropriate measures should be taken to mobilize efforts at the local, national, regional and international levels on behalf of the family,

Recalling in this connection its decision 35/424 of 5 December 1980 and Economic and Social Council resolution 1980/67 of 25 July 1980 concerning the guidelines for international years and anniversaries,

1. Invites all States to make their views known concerning the possible proclamation of an international year of the family and to offer their comments and proposals thereon to the Secretary-General before 30 April 1988;
2. Requests the Secretary-General to submit to the General Assembly at its forty-third session a comprehensive report, based on the comments and proposals of Member States on the possible proclamation of such a year and other ways and means to improve the position and well-being of the family and intensify international co-operation as part of global efforts to advance social progress and development;
3. Decides to consider that report and to take appropriate decisions on it at its forty-third session, under an item of the provisional agenda entitled "Families in the development process".

#### DRAFT RESOLUTION II

##### Question of human rights and fundamental freedoms in Afghanistan

##### The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 34/ the International Covenants on Human Rights 35/ and the humanitarian rules set out in the Geneva Conventions of 12 August 1949, 36/

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

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34/ Resolution 217 A (III).

35/ Resolution 2200 A (XXI), annex.

36/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

Emphasizing the obligation of all Governments to respect and protect human rights and to fulfil the responsibilities they have assumed under various international instruments,

Taking note of Commission on Human Rights resolution 1984/55 of 15 March 1984, 37/ in which the Commission expressed its concern and anxiety at the continuing presence of foreign forces in Afghanistan, as well as Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan,

Also taking note of Commission on Human Rights resolutions 1985/38 of 13 March 1985 38/ and 1986/40 of 12 March 1986, 39/

Further taking note of Economic and Social Council decisions 1985/147 of 30 May 1985 and 1986/136 of 23 May 1986,

Recalling its resolutions 40/137 of 13 December 1985 and 41/158 of 4 December 1986,

Taking note of Commission on Human Rights resolution 1987/58 of 11 March 1987 40/ and Economic and Social Council decision 1987/151 of 29 May 1987, by which the Council approved the Commission's decision to extend for one year the mandate of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan,

Having carefully examined the interim report of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan, which, while recognizing some improvements in some aspects of the human rights situation in Afghanistan, reveals continuing grave and massive violations of fundamental human rights in that country,

Recognizing that a situation of armed conflict continues to exist in Afghanistan, leaving large numbers of victims without protection or assistance, and that the duration of the conflict increases the seriousness of the gross and systematic violations of human rights already existing in the country,

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37/ See Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

38/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

39/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

40/ Ibid., 1987, Supplement No. 2 (E/1987/18), chap. II, sect. A.

Welcoming the resumption of some of the activities of the International Committee of the Red Cross in Afghanistan in the field of medical assistance,

1. Commends the efforts of the Special Rapporteur to fulfil his mandate and takes note of his interim report on the question of human rights and fundamental freedoms in Afghanistan;

2. Welcomes the co-operation that the Afghan authorities have begun to extend to the Commission on Human Rights by permitting its Special Rapporteur access to facilities for conducting his investigation when he visited Afghanistan from 30 July to 9 August 1987;

3. Expresses its deep distress and continuing alarm that the Special Rapporteur reports continued violations of the right to life, liberty and security of person as well as of the right to freedom of expression, freedom of assembly, freedom of movement and freedom of association;

4. Expresses its deep concern about the large number of persons detained without due process of law for seeking to exercise their fundamental human rights and their detention under conditions contrary to internationally recognized minimum standards, while noting a reduction in the number of political prisoners and the release of some prisoners as a result of limited amnesties;

5. Notes with great concern that such widespread violations of human rights, which have already caused millions of people to flee their homes and country, continue to cause large flows of refugees and displaced persons;

6. Expresses once again its deep concern that the Afghan authorities, with heavy support from foreign troops, are acting with great severity against their opponents and suspected opponents, in a manner contravening humanitarian law without any respect for the international human rights obligations that they have assumed;

7. Expresses its grave concern at the intensification of the armed conflict, which is causing death and material destruction, leading to brutalities and to maltreatment of prisoners and which, in particular, has severe consequences for the civilian population, with rising numbers of wounded and dead as well as the destruction of houses, mosques, livestock and crops;

8. Also expresses its grave concern, in particular, at the severe consequences for the civilian population of indiscriminate bombardments and military operations primarily targeted on villages and the agricultural structure;

9. Continues to note with great concern that the educational system does not appear to respect the liberty of parents to ensure the religious and moral education of their children in conformity with their own traditions and convictions;

10. Calls once again upon the parties to the conflict, in order to alleviate the suffering of the people of Afghanistan, to apply fully the principles and rules of international humanitarian law and to co-operate fully and effectively with international humanitarian organizations, in particular to facilitate the protection activities of the International Committee of the Red Cross;

11. Urges the authorities in Afghanistan to extend their full co-operation to the Commission on Human Rights and its Special Rapporteur, in particular by permitting the Special Rapporteur access to all the places he wishes to visit;

12. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

13. Decides to keep under consideration, during its forty-third session, the question of human rights and fundamental freedoms in Afghanistan in order to examine this question anew in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

#### DRAFT RESOLUTION III

##### Situation of human rights in the Islamic Republic of Iran

##### The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 41/ and the International Covenants on Human Rights, 42/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Recalling its pertinent resolutions, as well as the resolutions of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling, in particular, Commission on Human Rights resolution 1987/55 of 11 March 1987, by which it decided to extend the mandate of its Special Representative for one year and requested him to present an interim report to the General Assembly at its forty-second session on the human rights situation

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41/ Resolution 217 A (III).

42/ Resolution 2200 A (XXI), annex.

in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is and on new elements contained in his report, for example, the allegations of violations affecting the medical profession, and a final report to the Commission at its forty-fourth session,

Taking note of the opinion of the Special Representative that legal obligations and commitments on human rights do not foresee or admit of partial acceptance of instruments that have been conceived, drafted and adopted as a unified, coherent and complete set of norms,

Noting the Special Representative's conviction that the persons appearing before him described violations that certainly happened to them and that their declarations were convincing,

Taking note of the Special Representative's view that the partial co-operation he received in 1986 from the Government of the Islamic Republic of Iran had gone further, both through documents and personal contacts and that, therefore, there are grounds to hope that it may still increase in the months preceding the presentation of the final report,

Concerned none the less at the Special Representative's conclusion that the co-operation extended to him has not reached the level that the General Assembly and the Commission on Human Rights have consistently requested in the resolutions concerning this matter,

1. Takes note with appreciation of the interim report of the Special Representative and the considerations and the observations contained therein; 43/
2. Notes that the Special Representative observes that the problem concerning the medical profession appears to have been solved;
3. Welcomes the pardoning of prisoners and shares the Special Representative's hope that this may be the first stage of a process leading to a general amnesty for political prisoners;
4. Expresses again its deep concern about the numerous and detailed allegations of grave human rights violations in the Islamic Republic of Iran to which the Special Representative has referred in his report and, in particular, those related to the right to life, the right to freedom from torture or cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person and to freedom from arbitrary arrest or detention, the right to a fair trial, the right to freedom of thought, conscience and religion and to freedom of expression, and the right of religious minorities to profess and practise their own religion;

5. Expresses its grave concern in particular that, although the Special Representative indicates that the number of alleged violations to the right to life has diminished over the past two years, information made available to him alleges the execution of some one hundred persons in the period October 1986-September 1987 because of their political and religious convictions;

6. Expresses its deep concern at allegations that maltreatment and torture, both physical and psychological, are common in Iranian prisons during interrogation and before and after the final verdict, and at the existence of extremely summary and informal proceedings, the unawareness of specific accusations, the lack of legal counsel and other irregularities in respect to fair trial;

7. Shares the opinion of the Special Representative that the denial by the Government of the Islamic Republic of Iran of the allegations of violations of human rights as a whole, without details, is not sufficient for a sensible assessment of the situation on human rights in that country;

8. Endorses the conclusion of the Special Representative that acts continue to occur in the Islamic Republic of Iran that are inconsistent with international instruments to which the Government of that country is bound, and that the persistence of certain facts continues to justify continuing international concern;

9. Urges the Government of the Islamic Republic of Iran as a State party to the International Covenant on Civil and Political Rights, 44/ to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in that Covenant;

10. Urges once again the Government of the Islamic Republic of Iran to extend its full co-operation to the Special Representative of the Commission on Human Rights, and, in particular, to permit him to visit that country;

11. Requests the Secretary-General to give all necessary assistance to the Special Representative;

12. Decides to continue its examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, during its forty-third session in order to examine this situation anew in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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44/ See resolution 2200 A (XXI), annex.

DRAFT RESOLUTION IV

Situation of human rights and fundamental freedoms  
in El Salvador

The General Assembly,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 45/ the International Covenant on Civil and Political Rights 46/ and the humanitarian rules laid down in the Geneva Conventions of 12 August 1949 47/ and Additional Protocols I and II thereto, of 1977, 48/

Recalling that, in its resolutions 35/192 of 15 December 1980, 36/155 of 16 December 1981, 37/185 of 17 December 1982, 38/101 of 16 December 1983, 39/119 of 14 December 1984, 40/139 of 13 December 1985 and 41/157 of 4 December 1986, it expressed its deep concern at the situation of human rights in El Salvador,

Bearing in mind Commission on Human Rights resolutions 32 (XXXVII) of 11 March 1981, 49/ in which the Commission decided to appoint a special representative on the situation of human rights in El Salvador, 1982/28 of 11 March 1982, 50/ 1983/29 of 8 March 1983, 51/ 1984/52 of 14 March 1984, 52/ 1985/35 of 13 March 1985, 53/ 1986/39 of 12 March 1986, 54/ as well as resolution 1987/51, of 11 March 1987, 55/ whereby it extended the mandate of

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45/ Resolution 217 A (III).

46/ See resolution 2200 A (XXI), annex.

47/ United Nations, Treaty Series, vol. 75, Nos. 970 to 973.

48/ A/32/144, annexes I and II.

49/ See Official Records of the Economic and Social Council, 1981, Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

50/ Ibid., 1982, Supplement No. 2 (E/1982/22 and Corr.1), chap. XXVI, sect. A.

51/ Ibid., 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

52/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

53/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

54/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

55/ Ibid., 1987, Supplement No. 5 (E/1987/18), chap. II, sect. A.

the Special Representative for another year and requested him to report to the General Assembly at its forty-second session and to the Commission at its forty-fourth session,

Considering that there is an armed conflict of a non-international character in El Salvador in which the parties involved are under an obligation to apply the minimum standards of protection of human rights and humanitarian treatment provided for in article 3 common to the Geneva Conventions of 1949 and in Additional Protocol II thereto, of 1977,

Noting that the Special Representative points out in his report that the question of human rights continues to be an important element of the current policy of the Government of El Salvador, which, within the process of democratic normalization, is achieving increasingly significant and commendable results,

Concerned, however, because violations of human rights are continuing in El Salvador, particularly through the non-fulfilment of the humanitarian rules of war,

Recalling that on 7 August 1987 the Central American Governments signed in Guatemala the Agreement on "Procedure for the establishment of a firm and lasting peace in Central America", thus manifesting the political will and good faith to fulfil its provisions in order to achieve peace and stability in the region,

Convinced that the strict fulfilment of the commitments assumed by the Government of El Salvador in the Guatemala Agreement will contribute to the promotion, respect and realization of human rights and fundamental freedoms in that country,

Recognizing that the resumption of the dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario in the context of the Guatemala Agreement constitutes one of the best ways of achieving a solution that will help to improve the situation of human rights of the Salvadorian people,

Aware that the negotiated political solution of the Salvadorian conflict can be cut short if external forces do not support the resumption of the dialogue but instead seek in different ways to spur the prolongation or intensification of the war, with ensuing grave effects on the situation of human rights and the possibilities of economic recovery in El Salvador,

1. Commends the Special Representative for his reports on the situation of human rights and fundamental freedoms in El Salvador;

2. Notes with interest and emphasizes that it is important that the Special Representative indicated in his report that the question of respect for human rights is an important part of the policy of the Government of El Salvador, which is achieving increasingly significant and commendable results;



3. Expresses, nevertheless, its concern at the fact that violations of human rights are continuing in El Salvador because, inter alia, of the non-fulfilment of the humanitarian rules of war;
4. Trusts that the fulfilment of the undertaking assumed in the Agreement on "Procedure for the establishment of a firm and lasting peace in Central America", will lead to an improvement of the situation of human rights and fundamental freedoms in El Salvador;
5. Expresses its consternation at the assassination of the Co-ordinator of the Commission of Human Rights (non-governmental) and trusts that the authorities of El Salvador will continue investigations leading to the punishment of those responsible;
6. Recognizes the efforts made by the Government of El Salvador related to the result of the most recent investigations designed to determine the responsibility of the authors of the assassination of Monsignor Romero and also recognizes the importance of the return to El Salvador of the political leaders of the Frente Democrático Revolucionario;
7. Is gratified that, with the intention of humanizing the conflict, the Government and the Frente Farabundo Martí para la Liberación Nacional agree this year that the evacuations of war-wounded for medical attention should be conducted in the future unaffected by new changes and negotiations;
8. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario to continue the dialogue, within the framework of the Guatemala Agreement, until the achievement of a global political solution that will end the armed conflict and promote the broadening and strengthening of a democratic, pluralistic and participatory process that will involve the promotion of social justice, respect for human rights and the full exercise of the right of the Salvadorian people to determine freely and without external interference of any kind its economic, political and social system;
9. Requests the competent bodies of the United Nations to provide any advice and assistance that the Government of El Salvador may require in order to enhance the promotion and protection of human rights and fundamental freedoms;
10. Requests the Commission on Human Rights at its forty-fourth session to consider the situation of human rights in El Salvador and the mandate of its Special Representative, taking into account the evolution of the situation of human rights in El Salvador and the developments linked to the fulfilment of the Guatemala Agreement;
11. Decides to keep under consideration, during its forty-third session, the situation of human rights and fundamental freedoms in El Salvador in order to re-examine this situation in the light of the information provided by the Commission on Human Rights and the Economic and Social Council.

DRAFT RESOLUTION V

Assistance to student refugees in southern Africa

The General Assembly,

Recalling its resolution 41/136 of 4 December 1986, in which it, inter alia, requested the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

Having considered the report of the High Commissioner on the assistance programme to student refugees from South Africa and Namibia, 56/

Noting with appreciation that some of the projects recommended in the report on assistance to student refugees in southern Africa continue to be successfully implemented,

Noting with concern that the discriminatory and repressive policies that continue to be applied in South Africa and Namibia cause a continued and increasing influx of student refugees into Botswana, Lesotho, Swaziland and Zambia,

Conscious of the burden placed on the limited financial, material and administrative resources of the host countries by the increasing number of student refugees.

Appreciating the efforts of the host countries to deal with their student refugee populations, with the assistance of the international community,

1. Takes note with satisfaction of the report of the United Nations High Commissioner for Refugees;
2. Expresses its appreciation to the Governments of Botswana, Lesotho, Swaziland and Zambia for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure that the continuing influx of those refugees exerts on facilities in their countries;
3. Also expresses its appreciation to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-operation that they have extended to the High Commissioner on matters concerning the welfare of these refugees;

4. Notes with appreciation the financial and material support provided for the student refugees by Member States, the Office of the United Nations High Commissioner for Refugees, other bodies of the United Nations system and intergovernmental and non-governmental organizations;
5. Requests the High Commissioner, in co-operation with the Secretary-General, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;
6. Urges all Member States and intergovernmental and non-governmental organizations to continue contributing generously to the assistance programme for student refugees, through financial support of the regular programmes of the High Commissioner and of the projects and programmes, including unfunded projects, that were submitted to the Second International Conference on Assistance to Refugees in Africa, 57/ held at Geneva from 9 to 11 July 1984;
7. Also urges all Member States and all intergovernmental and non-governmental organizations to assist the countries of asylum materially and otherwise to enable them to continue to discharge their humanitarian obligations towards refugees;
8. Appeals to the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and all other competent United Nations bodies, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance so as to facilitate and expedite the settlement of student refugees from South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;
9. Calls upon agencies and programmes of the United Nations system to continue co-operating with the Secretary-General and the High Commissioner in the implementation of humanitarian programmes of assistance for the student refugees in southern Africa;
10. Requests the High Commissioner, in co-operation with the Secretary-General, to continue to keep the matter under review, to apprise the Economic and Social Council, at its second regular session of 1988, of the current status of the programmes and to report to the General Assembly at its forty-third session on the implementation of the present resolution.

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57/ See A/CONF.125/1, para. 33.

DRAFT RESOLUTION VI

Assistance to displaced persons in Ethiopia

The General Assembly,

Recalling all its resolutions, in particular resolution 41/141 of 4 December 1986, as well as all those of the Economic and Social Council, on assistance to displaced persons in Ethiopia,

Taking note of the report of the Secretary-General on assistance to displaced persons in Ethiopia, 58/

Having considered the report of the United Nations High Commissioner for Refugees, 59/

Recognizing the increasing number of voluntary returnees and refugees in Ethiopia,

Deeply concerned at the condition of displaced persons and voluntary returnees in the country, which has been aggravated by the devastating effect of the prolonged drought,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for adequate assistance to displaced persons and victims of natural disasters, as well as to returnees and refugees,

1. Commends the Office of the United Nations High Commissioner for Refugees and international organizations and voluntary agencies for their assistance to refugees and voluntary returnees in Ethiopia;
2. Appeals to Member States and to international organizations and voluntary agencies to provide Ethiopia with adequate material, financial and technical assistance in order to carry out relief and rehabilitation programmes for displaced persons, voluntary returnees and refugees;
3. Requests the United Nations High Commissioner for Refugees to continue his efforts in mobilizing humanitarian assistance for the relief, rehabilitation and resettlement of voluntary returnees and refugees in Ethiopia;
4. Requests the Secretary-General, in co-operation with the High Commissioner, to apprise the Economic and Social Council, at its second regular session of 1988, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-third session.

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58/ A/42/499.

59/ A/42/12.

DRAFT RESOLUTION VII

Measures to improve the situation and ensure the human rights  
and dignity of all migrant workers

The General Assembly,

Reaffirming once more the permanent validity of the principles and standards set forth in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights, 60/ the International Covenants on Human Rights, 61/ the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women,

Bearing in mind the principles and standards established within the framework of the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization, and the importance of the task carried out in connection with migrant workers and their families in other specialized agencies and in various organs of the United Nations,

Reiterating that, in spite of the existence of an already established body of principles and standards, there is a need to make further efforts to improve the situation and ensure the human rights and dignity of all migrant workers and their families,

Recalling its resolution 34/172 of 17 December 1979, by which it decided to establish a working group open to all Member States to elaborate an international convention on the protection of the rights of all migrant workers and their families,

Recalling also its resolutions 35/198 of 15 December 1980, 36/160 of 16 December 1981, 37/170 of 17 December 1982, 38/86 of 16 December 1983, 39/102 of 14 December 1984, 40/130 of 13 December 1985 and 41/151 of 4 December 1986, by which it renewed the mandate of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and requested it to continue its work,

Having examined the progress made by the Working Group at its sixth inter-sessional meeting, held from 1 to 12 June 1987, and at the current session of the General Assembly, from 22 September to 2 October 1987, during which the Group continued with the second reading of the draft convention,

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60/ Resolution 217 A (III).

61/ See resolution 2200 A (XXI), annex.

1. Takes note with satisfaction of the two most recent reports 62/ of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and, in particular, of the progress made by the Working Group on the drafting, in second reading, of the draft convention;
2. Decides that, in order to enable it to complete its task as soon as possible, the Working Group shall again hold an inter-sessional meeting of two weeks' duration in New York, immediately after the first regular session of 1988 of the Economic and Social Council;
3. Invites the Secretary-General to transmit to Governments the two most recent reports of the Working Group so as to enable the members of the Group to continue the drafting, in second reading, of the draft convention during the inter-sessional meeting to be held in the spring of 1988, as well as to transmit the results obtained at that meeting to the General Assembly for consideration during its forty-third session;
4. Also invites the Secretary-General to transmit the above-mentioned documents to the competent organs of the United Nations and to the international organizations concerned, for their information, so as to enable them to continue their co-operation with the Working Group;
5. Decides that the Working Group shall meet during the forty-third session of the General Assembly, preferably at the beginning of the session, to continue the second reading of the draft international convention on the protection of the rights of all migrant workers and their families;
6. Requests the Secretary-General to do everything possible to ensure adequate secretariat services for the Working Group for the timely fulfilment of its mandate, both at its inter-sessional meeting to be held after the first regular session of 1988 of the Economic and Social Council and during the forty-third session of the General Assembly.

DRAFT RESOLUTION VIII

Summary of arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights, 63/ which states that every human being has the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights, 64/ which states that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling also its resolution 34/175 of 17 December 1979, in which it reaffirmed that mass and flagrant violations of human rights are of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

Recalling further its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its subsequent resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985 and 41/144 of 4 December 1986,

Deeply alarmed at the continued occurrence on a large scale of summary or arbitrary executions, including extra-legal executions,

Recalling resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 65/ in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Welcoming Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15, 66/ as well as the ongoing work on summary or arbitrary executions within the Committee on Crime Prevention and Control,

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63/ Resolution 217 A (III).

64/ Resolution 2200 A (XXI), annex.

65/ See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.

66/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985; report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.

Recognizing the need for closer co-operation between the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control in efforts to bring an end to summary or arbitrary executions,

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. Strongly condemns once again the large number of summary or arbitrary executions, including extra-legal executions, that continue to take place in various parts of the world;

2. Demands that the practice of summary or arbitrary executions be brought to an end;

3. Welcomes Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint for one year a special rapporteur to examine the questions related to summary or arbitrary executions;

4. Also welcomes Economic and Social Council resolution 1987/60 of 29 May 1987, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for a further year and requested the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-fourth session;

5. Urges all Governments and all others concerned to co-operate with and assist the Special Rapporteur of the Commission on Human Rights in order that he may carry out his mandate effectively;

6. Requests the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred;

7. Welcomes the recommendations of the Special Rapporteur in his report to the Commission on Human Rights at its forty-third session with a view to eliminating summary or arbitrary executions;

8. Endorses the recommendation of the Special Rapporteur on the need to develop international standards designed to ensure effective legislation and other domestic measures so that proper investigations are conducted by appropriate authorities into all cases of suspicious death, including provisions for adequate autopsy;

9. Invites the Special Rapporteur to continue to receive information from appropriate United Nations bodies and other international organizations and to examine the elements to be included in such standards and to report to the Commission on Human Rights at its forty-fourth session on progress made in this respect;



10. Considers that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council;

11. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

12. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights 64/ appear not to be respected;

13. Requests the Commission on Human Rights at its forty-fourth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40, 1986/36 and 1987/60, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

#### DRAFT RESOLUTION IX

##### Question of enforced or involuntary disappearances

###### The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 41/145 of 4 December 1986 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1987/27 of 10 March 1987, 67/

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;
2. Welcomes the decision of the Commission on Human Rights to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI), of 29 February 1980, 68/ while maintaining the principle of annual reporting by the Group;
3. Also welcomes the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986 69/ to enable the Working Group to fulfil its mandate with greater efficiency;
4. Appeals to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group, to co-operate fully with the Group so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role;
5. Encourages the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling the Group to fulfil its mandate even more effectively;
6. Appeals to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or any ill-treatment they might suffer;
7. Calls upon the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Group to the Commission at its forty-fourth session;
8. Renews its request to the Secretary-General to continue to provide the Working Group with all necessary facilities.

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68/ Ibid., 1980, Supplement No. 3 (E/1980/13 and Corr.1 and 2), chap. XXVI, sect A.

69/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

DRAFT RESOLUTION X

Human rights in the administration of justice

The General Assembly,

Guided by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights, 70/ as well as the relevant provisions of the International Covenant on Civil and Political Rights, 71/ in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life,

Guided also by the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 72/ and in the International Convention on the Elimination of All Forms of Racial Discrimination, 73/

Calling attention to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 74/ and the safeguards guaranteeing protection of the rights of those facing the death penalty, approved by the Economic and Social Council in its resolution 1984/50 of 25 May 1984 and endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 75/ as well as to the Basic Principles on the Independence of the Judiciary, 76/ the Code of Conduct for Law Enforcement Officials 77/ and the Standard Minimum Rules for the Treatment of Prisoners, 78/

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70/ Resolution 217 A (III).

71/ See resolution 2200 A (XXI), annex.

72/ Resolution 37/46, annex.

73/ Resolution 2106 A (XX), annex.

74/ Resolution 40/34, annex.

75/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.15.

76/ Ibid., sect. D.2.

77/ Resolution 34/169, annex.

78/ First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat (United Nations publication, Sales No. 1956.IV.4), annex I.A.

Considering the importance of progress with regard to the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,

Further calling attention to the prohibition under article 6 of the International Covenant on Civil and Political Rights of the imposition of the death penalty for crimes committed by persons below 18 years of age,

Recognizing the significant contributions of the United Nations crime prevention and criminal justice programme to international co-operation in the field of human rights in the administration of justice, as reaffirmed, inter alia, by the Economic and Social Council in its resolutions 1987/49 and 1987/53 of 28 May 1987,

Acknowledging the important work accomplished by the Commission on Human Rights at its forty-third session in this field, as reflected in its resolutions 1987/33 of 10 March 1987 on human rights in the administration of justice and 1987/57 of 11 March 1987 on summary or arbitrary executions, 79/

Convinced of the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice,

1. Reiterates its call upon Member States to bring an end to the continued use of cruel, inhuman or degrading treatment or punishment, prohibited under international law, and strongly condemns the practice of summary or arbitrary executions;
2. Urges Member States to spare no effort in providing for effective legislative and other mechanisms and procedures and adequate resources to ensure more effective implementation of existing international standards relating to human rights in the administration of justice;
3. Welcomes the recommendations made by the Commission on Human Rights in its resolution 1987/33 on more effective implementation of existing international standards relating to human rights in the administration of justice and the need for strengthening co-ordinated national and international action in this regard;
4. Encourages the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Human Rights Committee and the Committee on Crime Prevention and Control, as well as regional and interregional human rights, crime prevention and criminal justice institutes and other entities of the United Nations system concerned to intensify their co-operation in matters relating to human rights in the administration of justice and invites the Economic and Social Council to co-ordinate such efforts;

5. Encourages the continuing development of strategies for the practical implementation of United Nations standards and norms on human rights in the administration of justice and of measures to assist Member States, at their request, in this implementation, as well as in evaluating their impact and effectiveness, in particular under the advisory services of the Department of Technical Co-operation for Development, of the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs;

6. Notes with appreciation the steps initiated by the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs to ensure closer co-operation in this field, including preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

7. Recognizes the important role of the specialized agencies and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations concerned, in promoting human rights in the administration of justice and invites them to continue to co-operate with the Secretary-General to this effect;

8. Decides to consider at its forty-third session the question of human rights in the administration of justice.

#### DRAFT RESOLUTION XI

##### Human rights and mass exoduses

##### The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur on this subject 80/ and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 81/

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80/ E/CN.4/1503.

81/ A/41/324, annex.

Aware of the recommendations concerning mass exoduses made by the Commission on Human Rights to its Sub-Commission on Prevention of Discrimination and Protection of Minorities and to special rapporteurs when studying violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

Stressing the need for international co-operation aimed at averting new massive flows of refugees in parallel with the provision of durable solutions to actual refugee situations,

Taking note once again of the report of the Secretary-General on human rights and mass exoduses, 82/

Recalling that the General Assembly at its forty-first session took note of the recommendations and conclusions contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 81/

Recalling its resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983, 39/117 of 14 December 1984, 40/149 of 13 December 1985, 41/70 of 3 December 1986 and 41/148 of 4 December 1986, and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980, 83/ 29 (XXXVII) of 11 March 1981, 84/ 1982/32 of 11 March 1982, 85/ 1983/35 of 8 March 1983, 86/ 1984/49 of 14 March 1984, 87/

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82/ A/38/538.

83/ See Official Records of the Economic and Social Council, 1980, Supplement No. 3 (E/1980/13 and Corr.1), chap. XXVI, sect. A.

84/ Ibid., 1981, Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVII, sect. A.

85/ Ibid., 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.

86/ Ibid., 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

87/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

1985/40 of 13 March 1985, 88/ 1986/45 of 12 March 1986 89/ and 1987/56 of 11 March 1987, 90/

Welcoming the steps taken by the Secretary-General to establish an early warning system, as mentioned in his report on the work of the Organization to the General Assembly at its forty-first session, 91/

1. Welcomes the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes;

2. Recalls the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the main organs of the United Nations should make fuller use of their respective competencies under the Charter for the prevention of new massive flows of refugees and displaced persons;

3. Invites all Governments and concerned international organizations to intensify their co-operation and assistance in world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

4. Requests all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons;

5. Invites the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to making appropriate recommendations concerning further measures to be taken in this matter;

6. Requests the Secretary-General to report to the General Assembly at its forty-third session on any developments relating to the recommendations in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees;

7. Decides to continue consideration of the question of human rights and mass exoduses at its forty-third session.

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88/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

89/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

90/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

91/ Official Records of the General Assembly, Forty-first Session, Supplement No. 1 (A/41/1).

DRAFT RESOLUTION XII

Improvement of social life

The General Assembly,

Bearing in mind that the Members of the United Nations have undertaken in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Recalling the principles proclaimed in the Universal Declaration of Human Rights 92/ and in the Declaration on Social Progress and Development, 93/

Mindful of the need to establish a harmonious balance between scientific, technological and material progress and the intellectual, spiritual, cultural and moral advancement of mankind,

Considering that the improvement of social life must be based on respect for and the promotion of all human rights and particularly on the elimination of all forms of discrimination,

Recognizing that social progress and development are founded on respect for the dignity and value of the human person,

Considering that healthy recreational, cultural and sports activities contribute to the achievement of a proper level of physical and mental health,

Considering also that the improvement of social life must take place in a continuous and uninterrupted manner,

Mindful that the existing inequalities and imbalances in the international economic system are widening the gap between developed and developing countries and thereby constitute a major obstacle to the development of the developing countries and adversely affect international relations and the promotion of world peace and security,

Conscious that each country has the sovereign right freely to adopt the economic and social system that it deems the most appropriate and that each Government has a primary role in ensuring the social progress and well-being of its people,

Convinced of the urgent necessity rapidly to eradicate colonialism, neo-colonialism, racism and all forms of racial discrimination, apartheid, aggression, foreign occupation and alien domination and all forms of

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92/ Resolution 217 A (III).

93/ Resolution 2542 (XXIV).



inequality, exploitation and subjugation of peoples, which constitute major obstacles to economic and social progress as well as to the promotion of world peace and security,

Recalling its resolutions 40/100 of 13 December 1985 and 41/152 of 4 December 1986,

1. Acknowledges that the progress achieved in the world social situation is still inadequate despite the efforts made and that efforts should therefore be redoubled;
2. Notes with great concern the slow progress in the implementation of the Declaration on Social Progress and Development;
3. Reaffirms that the social aspects and goals of development are an integral part of overall development and that it is the sovereign right of each State freely to determine and implement appropriate policies for social development within the framework of its development plans and priorities;
4. Emphasizes the importance, for the achievement of social progress, of the establishment of the new international economic order;
5. Calls upon Member States to make all efforts to promote the accelerated and complete elimination of such fundamental elements hindering economic and social progress and development as colonialism, neo-colonialism, racism and all forms of racial discrimination, apartheid, aggression, foreign occupation, alien domination and all forms of inequality and exploitation of peoples, and also to undertake effective measures to lessen international tensions;
6. Reiterates that it is the right of everyone to enjoy the greatest possible degree of physical and mental health;
7. Emphasizes that participation in cultural, sports and recreational activities and the use of leisure without discrimination of any kind promotes the improvement of social life;
8. Requests the Secretary-General to prepare a report on the improvement of social life in the world, taking into account the observations made by Member States in accordance with this resolution;
9. Decides to resume consideration of the question of the improvement of social life at its forty-third session.

DRAFT RESOLUTION XIII

Realization of the right to adequate housing

The General Assembly,

Recalling its resolution 37/221 of 20 December 1982, in which it proclaimed the year 1987 International Year of Shelter for the Homeless,

Recognizing the objectives of the International Year of Shelter for the Homeless,

Bearing in mind that the Universal Declaration of Human Rights 94/ and the International Covenant on Economic, Social and Cultural Rights 95/ provide that all persons have the right to an adequate standard of living for themselves and their families, including adequate housing, and that States should take appropriate steps to ensure the realization of this right,

Noting that the objectives of the International Year of Shelter for the Homeless are closely related to the realization of the economic, social and cultural rights set forth in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling its resolution 41/146 of 4 December 1986,

Taking into account Economic and Social Council resolution 1987/62 of 29 May 1987,

1. Expresses its deep concern that millions of people do not enjoy the right to adequate housing;
2. Reiterates the need to take, at the national and international levels, measures to promote the right of all persons to an adequate standard of living for themselves and their families, including adequate housing;
3. Calls upon all States and international organizations concerned to pay special attention to the realization of the right to adequate housing in carrying out measures to develop national shelter strategies and settlement improvement programmes within the framework of the global strategy for shelter to the year 2000;
4. Requests the Economic and Social Council and its appropriate functional commissions to keep the question of the right to adequate housing under period review;

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94/ Resolution 217 A (III).

95/ Resolution 2200 A (XXI), annex.

5. Decides to consider the question again, following its consideration by the Economic and Social Council.

DRAFT RESOLUTION XIV

Situation of human rights and fundamental freedoms in Chile

The General Assembly,

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms and determined to remain vigilant with regard to violations of human rights wherever they occur,

Noting the obligation of the Government of Chile to respect and protect human rights in accordance with the international instruments to which Chile is a party,

Bearing in mind that the concern of the international community at the situation of human rights in Chile was expressed by the General Assembly in a number of resolutions, particularly resolution 33/173 of 20 December 1978 on disappeared persons and resolution 41/161 of 4 December 1986 in which the General Assembly invited the Commission on Human Rights to adopt the most appropriate measures for the effective restoration of human rights and fundamental freedoms in that country, including the extension of the mandate of the Special Rapporteur,

Considering that the Special Rapporteur proposes to submit to the Commission on Human Rights at its forty-fourth session a final report on the situation of human rights in Chile,

Recalling the pertinent resolutions of the Commission on Human Rights, particularly resolution 1987/60 of 12 March 1987, 96/ in which the Commission decided, inter alia, to extend the mandate of the Special Rapporteur for one year and to consider that subject, as a matter of high priority, in view of the persistence of serious violations of human rights in Chile,

Deploring once again the fact that the repeated appeals of the General Assembly, the Commission on Human Rights and other international organs to re-establish human rights and fundamental freedoms have been ignored by the Chilean authorities,

Considering the reports prepared by various non-governmental organizations which have made public the serious violations of human rights in Chile,

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96/ See Official Records of the Economic and Social Council, 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

Observing that the maintenance of states of emergency constitutes a source of frequent violations of human rights and gives rise to the arbitrary intervention of the public authorities in the free exercise of democratic activities,

Noting that, although opposition publications have in some cases been authorized, these are frequently subjected to arbitrary restrictions and limitations, including the detention and prosecution of their editors,

Regretting that measures taken by the Government of Chile, such as signing international instruments against torture and authorizing the International Committee of the Red Cross to visit places of detention in some cases, have not put an end to the practice of torture and arbitrary detention,

Noting that, in the absence of an institutional framework for holding free elections, the adoption of laws on political parties and electoral registration do not constitute an expression of the people's sovereignty or meet the basic requirements of a democratic rule of law nor comply with the principle of non-discrimination on grounds of political or other opinions recognized in the International Covenant on Civil and Political Rights, 97/

1. Takes note with interest of the provisional report of the Special Rapporteur on the situation of human rights in Chile, 98/ submitted in accordance with Commission on Human Rights resolution 1987/60;

2. Welcomes the positive fact that the Government of Chile permitted the Special Rapporteur to visit the country again in March 1987, providing him with its continuing co-operation and free access to the facilities for conducting his investigation and expresses its confidence that a further visit will be authorized on the same conditions in the immediate future. At the same time, it regrets that this co-operation of the Government of Chile with the efforts of the United Nations has not led to a substantial improvement in human rights and fundamental freedoms;

3. Expresses its deep distress at the absence of a legal and political structure that protects the unrestricted exercise of human rights and fundamental freedoms, a basic condition for the free expression of the people's sovereignty;

4. Again expresses its conviction that a legal and political order based on the expression of the people's will through an electoral process open, on an equal footing, to all citizens and on free elections is fundamental to the full respect for human rights in Chile as it is in any other country;

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97/ Resolution 2200 A (XXI), annex.

98/ A/42/556 and Corr.1.

5. Expresses its deep concern at the seriousness of the significant and well-documented complaints of serious violations of human rights in Chile, as described in the report of the Special Rapporteur, which refers to violations of the rights to life, physical and moral integrity, liberty, security, due process and procedural guarantees, the right to enter and leave the country freely, freedom of movement and freedom of speech and information;

6. Expresses its distress at the denial of fundamental rights and freedoms through the maintenance of arbitrary executive powers during the prolonged period in which states of emergency have been in force, at the climate of insecurity, the use of unlawful coercion, torture and ill-treatment by the security forces, the renewal of administrative banishments and the practice of forced disappearances, as well as the existence of bands and groups, whether private or connected with the security forces, that engage with impunity in actions ranging from intimidation to assassination;

7. Expresses its concern at the denial by the Chilean authorities of the exercise of the rights of free expression, assembly and association, through the use of repressive methods and violent responses to social and political opposition demonstrations, in particular, military searches of marginal settlements and university premises and acts of intimidation against journalists and religious and lay human rights bodies;

8. Expresses its grave concern at the ineffectiveness of the government authorities in preventing the ill-treatment of individuals by the military, police and security forces and expresses particular concern that the judiciary has often failed to act independently and that the competent authorities have failed to take the necessary steps to conduct full investigations and prosecute those responsible for the numerous unsolved cases of abduction, torture, disappearance and murder;

9. Urges the Chilean Government to respond to the requests of various social and political sectors for the early, unconditional re-establishment of a pluralist democracy;

10. Emphasizes the need for the Government of Chile to restore and respect human rights in conformity with the principles of the Universal Declaration of Human Rights and to comply with the obligations it has assumed under various international instruments, so that the principle of legality, democratic institutions and the effective enjoyment and exercise of human rights and fundamental freedoms may be restored, and, in particular:

(a) Immediately put an end to the application of articles 8 and 9 of the Constitution, and supplementary legislation, under which serious and continuing violations of human rights, in particular the rights to life and freedom of thought, are being committed in the country;

(b) Likewise put an immediate end to the state of emergency and to the arbitrary practice of declaring "constitutional states of emergency", and amend the legislation, including the laws permitting the arbitrary use of such

states of emergency, so as to bring it into line with guarantees of human rights, as defined in international instruments;

(g) Immediately put an end to all forms of physical and psychological torture and effectively respect the right to life and to physical and moral integrity, and desist furthermore from intimidation and persecution, abductions, arbitrary arrests, detention in secret locations, as well as the practices of incommunicado detention and assassination;

(d) Proceed as a matter of urgency, through judicial and administrative action, to investigate all reports of deaths, torture, abductions and other human rights violations by the military, police and security forces, as well as by bands and groups, whether private or connected with the security forces, and punish those found guilty of such violations;

(e) Investigate and clarify without further delay the fate of persons arrested for political reasons, who have subsequently disappeared;

(f) Ensure the independence of the judiciary and the maximum effectiveness of judicial remedies, particularly amparo and habeas corpus, and prevent the intimidation of judges, defence lawyers and witnesses;

(g) Reorganize the police and security forces so as to help put an end to persistent human rights violations;

(h) Re-establish the jurisdiction of the civilian courts over matters within their competence that have been delegated to the military courts and put an end to the appointment of ad hoc prosecutors by military judges, as well as to arbitrary procedural measures and death sentences imposed for political reasons;

(i) Guarantee that anti-terrorist legislation shall not be used against persons who have not committed terrorist acts, that persons accused of acts of violence or terrorism shall be accorded due process of law and respect for their rights, and that the accusation of terrorism shall not be adduced as justification for any abuse of authority, torture or inhumane treatment;

(j) Respect fully the right of nationals to live in and freely enter and leave their country, and put a definite end to the practice of administrative banishment or internal exile and to forced exile;

(k) Restore the full enjoyment and exercise of economic, social and cultural rights, particularly labour and trade union rights and freedom of speech and information, and preserve the socio-cultural identity of the indigenous population;

(l) . Respect the activities of institutions, non-governmental organizations and persons related to the protection and promotion of human rights;

11. Invites the Commission on Human Rights to consider, as a matter of high priority, the report of the Special Rapporteur, taking account of the relevant information at its disposal; to take the most appropriate steps for the effective restoration of human rights and fundamental freedoms in Chile, including extending the mandate of the Special Rapporteur; and to report to the General Assembly at its forty-third session, through the Economic and Social Council, with a view to examining the human rights situation in Chile.

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113. The Third Committee also recommends to the General Assembly the adoption of the following draft decisions:

#### DRAFT DECISION I

##### Programme of work of the Third Committee

The General Assembly decides to defer consideration of the draft decision entitled "Programme of work of the Third Committee" 99/ to its forty-third session.

#### DRAFT DECISION II

##### Strengthening of international co-operation in the field of human rights

The General Assembly decides to defer consideration of the draft resolution entitled "Strengthening of international co-operation in the field of human rights", 100/ as orally revised, to its forty-third session.

#### DRAFT DECISION III

##### In-depth study of the United Nations intergovernmental structure and functions in the economic and social fields

The General Assembly requests the intergovernmental bodies in the social field that have not yet done so to submit their views and proposals to the Special Commission of the Economic and Social Council on the In-depth Study of the United Nations Intergovernmental Structure and Functions in the economic and social fields, in accordance with Economic and Social Council decision 1987/112 of 6 February 1987.

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99/ See A/C.3/42/L.8.

100/ For text, see para. 95.

DRAFT DECISION IV

Reports considered in connection with item 12

The General Assembly decides to take note of the note by the Secretary-General on strategy and policies for drug control; 101/ the report of the Secretary-General on human rights in southern Lebanon; 102/ the note by the Secretary-General on the United Nations Voluntary Fund for Indigenous Populations; 103/ and the report of the Secretary-General on international co-operation in drug abuse control. 104/

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101/ A/42/488.

102/ A/42/504.

103/ A/42/568.

104/ A/42/658.