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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Third Committee

Rapporteur: Miss Olajumoke Oladayo OBAFEMI (Nigeria)

I. INTRODUCTION

1. The item entitled "Report of the Economic and Social Council" was included in the provisional agenda of the thirty-fifth session of the General Assembly in accordance with Article 15, paragraph 2, of the Charter of the United Nations.
2. At its 3rd plenary meeting, on 19 September 1980, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate to the Third Committee chapters II, XVIII to XXVIII, XXXIII, XXXIV, and XXXVII of the report of the Economic and Social Council.
3. At its 49th meeting, on 7 November, the Committee decided to consider under item 78 the chapters of the report of the Economic and Social Council pertaining to specific cases of providing assistance to refugees (see A/35/650, para. 4), and A/35/714).
4. The Committee considered the remaining chapters of the report of the Economic and Social Council at its 60th to 65th, 67th to 70th, 72nd to 74th and 77th to 84th meetings, from 18 to 26 November and from 28 November to 5 December. The views expressed by the representatives of Member States and specialized agencies on this item are contained in the summary records of those meetings (A/C.3/35/SR.60-65, 67-70, 72-74 and 77-84).
5. At its 5th meeting, on 26 September, the Committee established an open-ended Working Group on the drafting of an international convention on the protection of the rights of all migrant workers and their families.
6. At its 9th meeting, on 2 October, the Committee established an open-ended Working Group for the consideration of the questions of the human rights of

individuals who are not citizens of the country in which they live, and of the draft body of principles for the protection of all persons under any form of detention or imprisonment.

7. The Committee had before it the following documents:

(a) Report of the Economic and Social Council; 1/

(b) Report of the Secretary-General on the distribution of income in the nation: rural-urban differentials (A/35/231);

(c) Improvement of the methodology for monitoring social trends: report of the Secretary-General (A/35/340);

(d) The right to education: note by the Secretary-General (A/35/148);

(e) Regional arrangements for the promotion and protection of human rights: report of the Secretary-General (A/35/348);

(f) International Labour Organisation standards and activities relating to the protection of migrant workers and their families: note submitted by the International Labour Organisation (A/C.3/35/1);

(g) Measures to improve the situation and ensure the human rights and dignity of all migrant workers: report of the Chairman of the open-ended Working Group (A/C.3/35/13);

(h) Report of the Commission on Narcotic Drugs on its sixth special session (E/1980/14);

(i) International co-operation in drug abuse control: report of the Secretary-General (A/35/614);

(j) Protection of human rights in Chile: note by the Secretary-General (A/35/522);

(k) United Nations Trust Fund for Chile: report of the Secretary-General (A/35/543 and Corr.1);

(l) Letter dated 10 November 1980 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/C.3/35/10);

(m) Reports of the Ad Hoc Working Group of Experts on Southern Africa: note by the Secretary-General (A/35/199);

(n) Report of the Ad Hoc Working Group of Experts on Southern Africa (E/CN.4/1365);

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1/ To be issued as Official Records of the General Assembly, Thirty-fifth Session, Supplement No.3 (A/35/3/Rev.1).

(o) Special report of the Ad Hoc Working Group of Experts on Southern Africa (E/CN.4/1366);

(p) Draft declaration on social and legal principles relating to adoption and foster placement of children nationally and internationally: report of the Secretary-General (A/35/336);

(q) Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live: note by the Secretary-General (A/35/363);

(r) Questions of the human rights of individuals who are not citizens of the country in which they live, and of the draft body of principles for the protection of all persons under any form of detention or imprisonment: report of the Chairman of the open-ended Working Group (A/C.3/35/14 and Corr.1);

(s) Letter dated 5 November 1980 from the Permanent Representative of Bolivia to the United Nations addressed to the Secretary-General (A/C.3/35/9);

(t) Letter dated 10 November 1980 from the Permanent Representative of the Socialist Republic of Viet Nam to the United Nations addressed to the Secretary-General (A/C.3/35/11 and Corr.1);

(u) Letter dated 27 February 1980 from the Chargé d'Affaires, a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General (A/35/120);

(v) Letter dated 21 May 1980 from the Chargé d'Affaires, a.i. of the Permanent Mission of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/35/259);

(w) Letter dated 22 May 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/260);

(x) Note verbale dated 23 May from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General (A/35/265);

(y) Note verbale dated 23 May 1980 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General (A/35/266);

(z) Note verbale dated 23 May 1980 from the Permanent Representative of Czechoslovakia to the United Nations addressed to the Secretary-General (A/35/267);

(aa) Letter dated 27 May 1980 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/35/270);

(bb) Letter dated 27 May 1980 from the Permanent Representative of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/35/272);

(cc) Note verbale dated 23 May 1980 from the Permanent Mission of Bulgaria to the United Nations addressed to the Secretary-General (A/35/273);

(dd) Letter dated 20 August 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/405);

(ee) Letter dated 20 August 1980 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (A/35/419);

(ff) Letter dated 2 September 1980 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/35/426);

(gg) Note verbale dated 5 September 1980 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (A/35/431);

(hh) Note verbale dated 13 September 1980 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (A/35/450);

(ii) Letter dated 20 November 1980 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/35/649).

8. At the 60th meeting, on 18 November, the Director of the Division of Human Rights made an introductory statement.

9. At the 61st meeting, on 19 November, the Assistant Secretary-General for Development Research and Policy Planning, the Director of the United Nations Division of Narcotic Drugs and the Director of the Office for Programme Planning and Co-ordination made introductory statements.

10. At the 62nd meeting, on 19 November, the Director of the UNESCO Liaison Office made an introductory statement.

11. At the 65th meeting, on 24 November, the Special Rapporteur on the situation of human rights in Chile made a statement.

12. At the 72nd meeting, on 28 November, the Chairman of the open-ended Working Group on the drafting of an international convention on the protection of the rights of all migrant workers and their families introduced a report contained in document A/C.3/35/13. At the same meeting, the Chairman of the open-ended Working Group for the consideration of the questions of the human rights of individuals who are not citizens of the country in which they live, and of the draft body of principles for the protection of all persons under any form of detention or imprisonment introduced a report contained in document A/C.3/35/14 and Corr.1.

## II. CONSIDERATION OF DRAFT RESOLUTIONS

### A. Draft resolution A/C.3/35/L.52 and Rev.1 and 2

13. The Committee had before it a draft resolution (A/C.3/35/L.52) entitled "Human Rights in Bolivia" sponsored by the Netherlands and Sweden. The draft resolution read as follows:

"The General Assembly,

"Noting that all Member States have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

"Recalling its resolution 34/175 on effective action against mass and flagrant violations of human rights,

"Concerned at reports about violations of human rights in Bolivia,

"Recalling resolution 46 of the World Conference of the United Nations Decade for Women,

"Taking note with satisfaction of the decision of the Preparatory Committee of the General Assembly of the Organization of American States to include the question of Bolivia on the agenda for its tenth regular session,

"Taking note also of the letter of the Bolivian authorities to the Secretary-General, dated 29 October 1980, indicating their readiness to fix a date on which a delegation from the Commission on Human Rights may visit Bolivia, 2/

"1. Urges the Bolivian authorities to ensure respect for human rights and fundamental freedoms, including freedom of expression and trade union rights;

"2. Requests the Commission on Human Rights to review at its thirty-seventh session information on the human rights situation in Bolivia and to consider what action in this regard is called for."

14. The Committee also had before it a revised draft resolution (A/C.3/35/L.52/Rev.1) sponsored by the Netherlands and Sweden. The revised draft resolution read as follows:

"The General Assembly,

"Noting that all Member States have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

"Recalling its resolution 34/175 on effective action against mass and flagrant violations of human rights,

"Having taken cognizance of reports on violations of human rights in Bolivia,

"Taking note with satisfaction of the decision of the Preparatory Committee of the General Assembly of the Organization of American States to include the question of Bolivia on the agenda for its tenth regular session,

"Taking note also of the letter of the Bolivian authorities to the Secretary-General, dated 29 October 1980, indicating their readiness to fix a date on which a delegation from the Commission on Human Rights may visit Bolivia, 2/

"1. Urges the Bolivian authorities to ensure respect for human rights and fundamental freedoms, including freedom of expression and trade union rights;

"2. Requests the Commission on Human Rights to accept the invitation by the Bolivian authorities in order to study the human rights situation at first hand and thereby be in a position to take appropriate action in full knowledge of the facts."

15. At the 77th meeting, on 2 December, the representative of Sweden introduced a further revised draft resolution (A/C.3/35/L.52/Rev.2) sponsored by the Netherlands and Sweden.

16. At the 79th meeting, on 3 December, the Committee adopted revised draft resolution A/C.3/35/L.52/Rev.2 by a recorded vote of 77 to 8, with 49 abstentions (see para. 92, draft resolution I). The vote was as follows:

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Barbados, Belgium, Benin, Bulgaria, Canada, Cape Verde, Central African Republic, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Iran, Iraq, Ireland, Italy, Jamaica, Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Luxembourg, Mali, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Poland, Portugal, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Spain, Sweden, Syrian Arab Republic, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Argentina, Brazil, Chile, Comoros, Guatemala, Paraguay, Philippines, Uruguay.

Abstaining: Bahamas, Bahrain, Bangladesh, Botswana, Burma, Burundi, Chad, Costa Rica, Egypt, El Salvador, Equatorial Guinea, Fiji, Gabon, Gambia, Haiti, Honduras, India, Indonesia, Israel, Ivory Coast, Japan, Jordan, Kuwait, Lebanon, Lesotho, Malawi, Malaysia, Maldives, Nepal, Niger, Nigeria, Oman, Papua New Guinea, Peru, Qatar, Saudi Arabia, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, United Arab Emirates, United Republic of Cameroon, Zaire

B. Draft resolution A/C.3/35/L.54 and Rev.1

17. The Committee had before it a draft resolution (A/C.3/35/L.54) entitled "Exchange of information on banned, hazardous chemicals and unsafe pharmaceutical products" sponsored by Argentina, Benin, the Dominican Republic, Ecuador, Jordan, Kenya, Papua New Guinea and the Philippines. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 34/173 that recognized the urgent need to take concrete measures to prevent the adverse effects on health on a world-wide basis,

"Noting with regret that the Secretary-General was unable to present the report requested in its resolution 34/173,

"Aware that the Commission on Transnational Corporations will examine the report on the activities of the United Nations Centre on Transnational Corporations and the study on transnational corporations in the pharmaceutical industry in developing countries, according to the agenda approved by the decision 1980/170 of the Economic and Social Council,

"Conscious of the importance of the information system on transnational corporations for the analysis of transnationals in particular sectors of special social and humanitarian interest to host countries, particularly developing countries,

"Mindful of the importance of objective information about banned, hazardous chemicals and unsafe pharmaceutical products,

"1. Invites Member States to provide information on the measures they have taken to exchange information on hazardous chemicals and unsafe pharmaceutical products that have been banned in their countries;

"2. Requests the Commission on Transnational Corporations to study, during its seventh session, the ways and means within the information system on transnational corporations to improve the exchange of information on banned, hazardous chemicals and unsafe pharmaceutical products, with a view of formulating appropriate recommendations;

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"3. Requests once again the Secretary-General, in co-operation with the United Nations organs, agencies and bodies concerned, to submit a report to the General Assembly at its thirty-sixth session about the experience of Member States and United Nations agencies and bodies concerned;

"4. Appeals to the United Nations organs, agencies and bodies concerned, especially the World Health Organization, to co-operate in the preparation of the above-mentioned report."

18. At the 72nd meeting, on 28 November, the representative of Argentina, introduced a revised draft resolution (A/C.3/35/L.54/Rev.1) on behalf of Argentina, Benin, Dominican Republic, Ecuador, Jordan, Kenya, Papua New Guinea, Philippines and Venezuela.

19. The attention of the Committee was drawn to the statement on the administrative and financial implications (A/C.3/35/L.69) of the draft resolution.

20. At the same meeting, the Committee voted on draft resolution A/C.3/35/L.54/Rev.1 as follows:

(a) It adopted operative paragraph 2 of the draft resolution by 103 votes to none, with 25 abstentions;

(b) It adopted draft resolution A/C.3/35/L.54/Rev.1 by a recorded vote of 119 votes to none, with 11 abstentions (see para. 92, draft resolution II). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Italy, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Ireland, Israel, Japan, Luxembourg, United Kingdom of Great Britain and Northern Ireland, United States of America.



C. Draft resolution A/C.3/35/L.60

21. At the 77th meeting, on 2 December, the representative of France introduced a draft resolution (A/C.3/35/L.60) entitled "Refugees and displaced children". Subsequently the Federal Republic of Germany, Greece, Panama, Senegal, Togo, Tunisia, the United Republic of Cameroon and Zaire joined in sponsoring the draft resolution.
22. At the 79th meeting, on 3 December, the representative of Cuba proposed an oral amendment to add at the end of the third preambular paragraph the following words:
- "and who are victims of such situations as those arising from apartheid, racial discrimination, colonialism, foreign domination and occupation, aggression, and threats to national sovereignty".
23. At the same meeting, the representative of Morocco proposed an oral subamendment to the amendment of Cuba to add at the end the following words:
- "foreign military intervention against sovereign countries, and the activities of mercenaries".
24. Also at the same meeting, the representative of Oman proposed another oral subamendment to the amendment of Cuba by which the words "all forms of" should be inserted before "racial discrimination".
25. Also at the same meeting, the representative of the United Kingdom proposed an oral amendment to the draft resolution which would replace the amendment of Cuba. The amendment was the following: "and who are mainly victims of situations of violations of human rights".
26. All the amendments and subamendments were subsequently withdrawn by their sponsors.
27. At the same meeting, the Committee adopted draft resolution A/C.3/35/L.60 without a vote (see para. 92, draft resolution III).

D. Draft resolution A/C.3/35/L.61 and Rev.1

28. At the 77th meeting, on 2 December, the representative of Mexico introduced a draft resolution (A/C.3/35/L.61) entitled "Protection of human rights in Chile", sponsored by Algeria, Cuba, Mexico, Mozambique, Nicaragua, Sao Tome and Principe, Viet Nam and Yugoslavia. The draft resolution read as follows:

"The General Assembly,

"Noting that Governments have an obligation to protect and promote human rights and to carry out responsibilities they have undertaken under various international instruments,

"Recalling its resolutions 31/124, 32/118, 33/175 and 34/179 on the protection of human rights in Chile, and 33/173 on disappeared persons,

"Recalling also resolution 11 (XXXV) of the Commission on Human Rights on violations of human rights in Chile, which, inter alia, decided to appoint a Special Rapporteur on the situation of human rights in Chile,

"Deploing that the Chilean authorities have consistently refused to co-operate with the Special Rapporteur appointed by the Commission on Human Rights,

"Noting in the report of the Special Rapporteur contained in document A/35/522 that the situation of human rights has further deteriorated in the last period, with a definite increase of the tendencies referred to in the previous report,

"Alarmed at the fact that the Chilean authorities have pretended to legitimize this situation through a "plebiscite" held without lifting the "state of emergency" and without meeting the most elemental conditions and guarantees inherent in a democratic process,

"Noting that through this device, a 'constitution' drafted without popular participation is purported to have been adopted, though, in fact, it has been suspended for at least eight years, thus preventing the civil and political rights of the Chilean people to be restored,

"Deeply concerned that the said 'constitution', if applied, would give the highest rank and a permanent character to the present body of legislation, which, by definition, violates the civil, political, economic, social and cultural rights of the Chilean people,

"Noting with increasing concern that the Chilean authorities continue to ignore the repeated appeal of the international community reflected in the various resolutions of the General Assembly and other international organs and have failed to take urgent and effective measures to investigate and clarify the fate of persons who have disappeared,

"1. Commends the Special Rapporteur for his report on the situation on human rights in Chile, prepared in accordance with resolution 21 (XXXVI) of the Commission on Human Rights;

"2. Requests the Commission on Human Rights, at its thirty-seventh session, to study thoroughly the report of the Special Rapporteur;

"3. Reiterates its indignation at the continued violation of human rights in Chile and concludes that it should continue to exercise vigilance with regard to the situation of human rights in that country;

"4. Also expresses its grave concern that there has been a further deterioration, in particular, concerning:

- "(a) The increase in the arbitrary powers of security agencies;
- "(b) Further cases of torture, ill treatment and unexplained deaths;
- "(c) Freedom of assembly and association;
- "(d) Trade union rights;
- "(e) The principle of presumption of innocence of accused persons;
- "(f) The abuse of indigenous people;
- "(g) Institutional negation of civil and political rights;
- "(h) Subversion of the traditional democratic legal system and its institutions;
- "(i) Repression of human rights activities of the Catholic Church;
- "(j) Repression of academic life in general.

"5. Again urges the Chilean authorities to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments, and, in particular:

- "(a) To cease the state of emergency under which continued violations of human rights occur and to restore the democratic institutions and constitutional safeguards traditionally enjoyed by the Chilean people;
- "(b) To ensure an immediate end to torture and other forms of inhuman or degrading treatment and to prosecute and punish those responsible for such practices;
- "(c) To restore fully the freedom of expression and information, and of assembly and association;
- "(d) To restore fully trade union rights, especially the freedom to form trade unions with the capacity to operate freely without government control and to exercise fully the right to strike;
- "(e) To allow their citizens freely to enter and leave the country, and to restore Chilean nationality to those who have been deprived of it for political reasons;

"(f) To restore fully the right of amparo (habeas corpus);

"(g) To respect the rights, in particular, the economic, social and cultural rights, of the indigenous population;

"(h) To adopt measures to improve the enjoyment of economic and social rights by the population at large;

"(i) To allow the effective exercise of all political rights of the Chilean people in order to promote democratic life and restore the genuine legal system;

"6. Expresses its deep concern for the lack of information on the numerous persons who have disappeared since September 1973, which continues to be a gross and flagrant violation of human rights;

"7. Once more urges the Chilean authorities to investigate and clarify the fate of persons who have disappeared for political reasons, to inform relatives of the outcome and to institute criminal proceedings against those responsible for such disappearances;

"8. Invites the Commission on Human Rights to continue to give close attention to the situation in Chile and, to this end, to extend the mandate of the Special Rapporteur on the situation of human rights in Chile, in accordance with paragraph 6 of resolution 11 (XXXV) of the Commission on Human Rights;

"9. Urges further the Chilean authorities to co-operate with the Special Rapporteur on missing and disappeared persons;

"10. Requests the Commission on Human Rights to report on the subject, through the Economic and Social Council, to the General Assembly at its thirty-sixth session."

29. Subsequently, the Committee had before it a revised draft resolution (A/C.3/35/L.61/Rev.1) sponsored by Algeria, Benin, Cuba, Denmark, Ireland, Mexico, Mozambique, the Netherlands, Nicaragua, Sao Tome and Principe, Sweden, Viet Nam and Yugoslavia.

30. At the 79th meeting, on 3 December, the Committee adopted draft resolution A/C.3/35/L.61/Rev.1 by a recorded vote of 90 to 8, with 37 abstentions (see para. 92, draft resolution IV). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary,

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Iceland, India, Iran, Iraq, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Maldives, Mali, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, 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 Cameroon, United Republic of Tanzania, United States of America, Venezuela, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Argentina, Bolivia, Brazil, Chile, Guatemala, Lebanon, Paraguay, Uruguay.

Abstaining: Chad, Colombia, Costa Rica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Fiji, Gabon, Gambia, Haiti, Honduras, Indonesia, Israel, Ivory Coast, Japan, Jordan, Lesotho, Malawi, Malaysia, Morocco, Nepal, Niger, Nigeria, Oman, Papua New Guinea, Peru, Philippines, Saudi Arabia, Singapore, Somalia, Suriname, Thailand, Togo, Trinidad and Tobago, Zaire.

E. Draft resolution A/C.3/35/L.64

31. At the 77th meeting, on 2 December, the representative of Sweden introduced and orally revised a draft resolution (A/C.3/35/L.64) entitled "Protection of human rights of certain categories of prisoners", sponsored by Bahamas, Barbados, Costa Rica, Ecuador, Finland, Jamaica, Nigeria, Norway, Panama, Papua New Guinea, Portugal, Spain, Sweden and Venezuela.

32. The revisions consisted of the following:

(a) In the fourth preambular paragraph, the words "as well as any other persons who have been arrested or detained on account of their opinions or convictions" were deleted;

(b) A new sixth preambular paragraph was inserted which read as follows:

"Recalling the Universal Declaration of Human Rights and the International Covenants on Human Rights.";

(c) In the eighth preambular paragraph (original seventh) the word "Offenders" was replaced by "Prisoners";

(d) In the last preambular paragraph, the words "since the adoption by consensus of the above-mentioned resolutions" were deleted;

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(e) In operative paragraph 2, the words "which were aimed at securing" were replaced by "regarding", and the word "at" was deleted.

33. At the 79th meeting, on 3 December, the Committee adopted draft resolution A/C.3/35/L.64, as revised, without a vote (see para. 92, draft resolution V).

F. Draft resolution A/C.3/35/L.66

34. At the 77th meeting, on 2 December, the representative of Finland introduced a draft resolution (A/C.3/35/L.66) entitled "Voluntary Fund of the United Nations for Victims of Gross and Flagrant Violations of Human Rights", sponsored by Denmark, Finland, Iceland, Norway and Sweden.

35. At the 80th meeting, on 3 December, the Committee adopted draft resolution A/C.3/35/L.66 by a recorded vote of 48 to 40, with 46 abstentions (see para. 92, draft resolution VI). The voting was as follows:

In favour: Australia, Austria, Belgium, Botswana, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Iceland, Iran, Ireland, Israel, Italy, Lesotho, Luxembourg, Netherlands, New Zealand, Norway, Panama, Papua New Guinea, Paraguay, Portugal, Rwanda, Spain, Swaziland, Sweden, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia.

Against: Afghanistan, Algeria, Angola, Argentina, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Grenada, Hungary, India, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Nicaragua, Niger, Pakistan, Philippines, Poland, Romania, Sao Tome and Principe, Seychelles, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, Uruguay, Viet Nam, Yugoslavia, Zimbabwe.

Abstaining: Bahamas, Bahrain, Bangladesh, Barbados, Burundi, Cape Verde, Chad, Comoros, Congo, Egypt, El Salvador, Equatorial Guinea, Gabon, Guyana, Haiti, Honduras, Indonesia, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Malawi, Malaysia, Maldives, Mali, Mexico, Morocco, Nepal, Nigeria, Oman, Peru, Qatar, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Thailand, Tunisia, United Republic of Tanzania, Zaire.

G. Draft resolution A/C.3/35/L.68

36. At the 63rd meeting, on 20 November, the representative of Romania introduced a draft resolution (A/C.3/35/L.68) entitled "The right to education" sponsored by Algeria, Bahamas, Barbados, Benin, Bolivia, Colombia, Costa Rica, Cyprus, Democratic Yemen, the Dominican Republic, Ecuador, Egypt, El Salvador, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Jamaica, Jordan, Liberia, the Libyan Arab Jamahiriya, Madagascar, Mauritania, Nepal, Nigeria, Pakistan, Panama, the Philippines, Poland, Romania, Rwanda, Sri Lanka, Suriname, Tunisia, Yugoslavia and Zimbabwe, subsequently joined by Bangladesh, Cape Verde, the Congo, Indonesia, Mauritius, Qatar and Sao Tome and Principe.

37. At the 77th meeting, on 2 December, the Committee adopted draft resolution A/C.3/35/L.68 without a vote (see para. 92, draft resolution VII).

H. Draft resolution A/C.3/35/L.70 and Rev.1

38. At the 77th meeting, on 2 December, the representative of the German Democratic Republic introduced a draft resolution (A/C.3/35/L.70) entitled "Measure to be taken against nazism, fascism and neo-fascism", sponsored by Afghanistan, Angola, Benin, Bulgaria, Cuba, Czechoslovakia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Mozambique, Poland, the Ukrainian Soviet Socialist Republic, Viet Nam and Zimbabwe, subsequently joined by the Congo and Seychelles. The draft resolution read as follows:

"The General Assembly,

"Recalling that the United Nations emerged from the peoples' struggle against nazism and fascism, and that the peoples expressed their resolve in the Charter of the United Nations to save future generations from the scourge of war,

"Bearing in mind the suffering, destruction and death of millions of victims of nazism and fascism,

"Reaffirming the unlimited validity of the purposes and principles laid down in the Charter of the United Nations, which are aimed at preserving international peace and security and promoting peaceful co-operation between the States and peoples,

"Emphasizing that nazism and fascism in all its manifestations constitute a threat to world peace and international security, as well as an obstacle to friendly relations between States and peoples and to the promotion of human rights,

"Reaffirming that the prosecution and punishment of war crimes and crimes against peace and humanity as laid down in resolutions 3 (I) and 95 (I) of the United Nations General Assembly, constitute a universal commitment for all States,

/...

"Recalling its resolution 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971 and 34/24 of 15 November 1979,

"Recalling also the Declaration on Social Progress and Development, the Declaration on the Elimination of All Forms of Racial Discrimination, the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Underlining the importance of the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide, and other relevant international instruments,

"Bearing in mind that nazism, fascism, neo-fascism and all related ideologies and practices based on racial intolerance, hatred and terror are totally incompatible with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, and the Declaration on the Preparation of the Societies for Life in Peace,

"Deeply concerned at the increasing activities by groups and organizations in national and international dimensions propagating and practising nazism, fascism, neo-fascism and all related ideologies based on racial intolerance, hatred and terror,

"1. Condemns all manifestations of the ideology and practice of nazism, fascism and neo-fascism and all other ideologies based on racial intolerance, hatred and terror;

"2. Urges all States to fully implement the provisions laid down in United Nations General Assembly resolution 2839 (XXVI);

"3. Calls upon all States to take legislative, administrative and other necessary measures against the revival of nazism, fascism and neo-fascism and all related ideologies;

"4. Requests all States to provide the Secretary-General with their comments on those problems and on measures that should be taken on the national and international levels to eradicate nazism, fascism, neo-fascism and related ideologies based on racial intolerance, hatred and terror, and to prohibit the activities of groups and organizations based on those ideologies;

"5. Requests the Secretary-General to submit through the Economic and Social Council to the General Assembly at its thirty-sixth session a report on States' comments on the problem of nazism, fascism and neo-facism and on measures to be taken against it;



6. Decides to consider at its thirty-sixth session the question of activities of groups and organizations practising fascism or other ideologies based on racial intolerance, hatred and terror, and of measures to be taken against such groups and organizations."

39. At the 80th meeting, on 3 December, the representative of the German Democratic Republic orally revised the text. The revised version of the draft resolution was later issued as A/C.3/35/L.70/Rev.1, which read as follows:

"Measures to be taken against nazi, fascist and neo-fascist activities

The General Assembly,

"Recalling that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the peoples expressed their resolve in the Charter of the United Nations to save future generations from the scourge of war,

"Bearing in mind the suffering, destruction and death of millions of victims of nazism and fascism,

"Reaffirming the unlimited validity of the purposes and principles laid down in the Charter of the United Nations, which are aimed at preserving international peace and security and promoting peaceful co-operation between the States and peoples,

"Emphasizing that nazism and fascism in all its manifestations constitute a threat to world peace and international security, as well as an obstacle to friendly relations between States and peoples and to the promotion of human rights,

"Reaffirming that the prosecution and punishment of war crimes and crimes against peace and humanity as laid down in resolutions 3 (I) and 95 (I) of the United Nations General Assembly, constitute a universal commitment for all States,

"Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971 and 34/24 of 15 November 1979,

"Recalling also the Declaration on Social Progress and Development, the Declaration on the Elimination of All Forms of Racial Discrimination, the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Underlining the importance of the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide, and other relevant international instruments,

"Bearing in mind that nazism, fascism, neo-fascism and all related ideologies and practices based on racial intolerance, hatred and terror are totally incompatible with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, and the Declaration on the Preparation of the Societies for Life in Peace,

"Deeply concerned at the increasing activities by groups and organizations in national and international dimensions propagating and practising nazism, fascism, neo-fascism and all related ideologies based on racial intolerance, hatred and terror,

"1. Condemns all manifestations of the ideology and practice of nazism, fascism and neo-fascism and all related ideologies based on racial intolerance, hatred and terror;

"2. Urges all States to give due consideration to implementing the provisions laid down in United Nations General Assembly resolution 2839 (XXVI) in accordance with the provisions of the Universal Declaration of Human Rights and especially to take the necessary measures against activities of groups and organizations practising nazism, fascism, neo-fascism or other ideologies based on racial intolerance, hatred and terror;

"3. Requests all States to provide the Secretary-General with their comments on those problems and on measures that should be taken on the national and international levels to eradicate nazism, fascism, neo-fascism and related ideologies based on racial intolerance, hatred and terror;

"4. Requests the Commission on Human Rights to consider this subject at its thirty-seventh session under the item of its agenda 'Question of measures to be taken against ideologies and practices based on terror or incitement to racial discrimination or any other form of group hatred';

"5. Requests the Secretary-General to submit through the Economic and Social Council to the General Assembly at its thirty-sixth session a report in the light of the discussion that would take place in the Commission on Human Rights and on the basis of comments provided by States."

40. At the same meeting, the representative of the Netherlands, on behalf of Australia, Costa Rica, Greece and the Netherlands, introduced amendments (A/C.3/35/L.96) to draft resolution A/C.3/35/L.70. The amendments consisted of the following:

1. Title

Replace the present title with the following:

/...

"Measures to be taken against all forms of totalitarian ideologies and practices, in particular nazism, fascism and neo-fascism".

2. Preambular paragraph 1

Delete the word "peoples".

After the word "against" add the words "aggression, foreign occupation,"

After the word "peoples" add the words "of the United Nations"

so that preambular paragraph 1 would read:

"Recalling that the United Nations emerged from the struggle against aggression, foreign occupation, nazism and fascism, and that the people of the United Nations expressed their resolve in the Charter of the United Nations to save future generations from the scourge of war."

3. Preambular paragraph 2

After the words "victims of" add the words "aggression, foreign occupation,"

so that preambular paragraph 2 would read:

"Bearing in mind the suffering, destruction and death of millions of victims of aggression, foreign occupation, nazism and fascism."

4. Preambular paragraph 3

Delete the words "the unlimited validity of".

Delete all words after "aimed at" and substitute the following:

"maintaining international peace and security, developing friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples, and achieving international co-operation".

so that preambular paragraph 3 would read:

"Reaffirming the purposes and principles laid down in the Charter of the United Nations, which are aimed at maintaining international peace and security, developing friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples, and achieving international co-operation".

5. Preambular paragraph 4

Replace the words "constitute a threat to" with the words "may jeopardize".

/...

Replace the words "as well as" with the words "and constitute".

After the word "promotion" add the words "and protection".

so that preambular paragraph 4 would read:

"Emphasizing that nazism and fascism in all its manifestations may jeopardize world peace and international security, and constitutes an obstacle to friendly relations between States and peoples and to the promotion and protection of human rights."

6. Preambular paragraph 8

After the words "the importance of the" add the words "Universal Declaration of Human Rights,"

so that preambular paragraph 8 would read:

"Underlining the importance of the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Covenant on the Prevention and Punishment of the Crime of Genocide, and other relevant international instruments."

7. Preambular paragraph 9

Replace the words "nazism, fascism, neo-fascism and all related ideologies and practices based on" with the words "all totalitarian ideologies and practices including nazism and fascism, and those based on the systematic denial of human rights and fundamental freedoms, in particular, on the grounds of"

so that preambular paragraph 9 would read:

"Bearing in mind that all totalitarian ideologies and practices, including nazism and fascism, and those based on the systematic denial of human rights and fundamental freedoms, in particular, on the grounds of racial intolerance, hatred and terror, are totally incompatible with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, and the Declaration on the Preparation of the Societies for Life in Peace."

8. Preambular paragraph 10

Replace the present preambular paragraph 10 with the following:

"Deeply concerned at the increase of activities at the national and international levels which propagate totalitarian forms of ideology and practice, including nazism, fascism and neo-fascism."

9. Operative paragraph 1

Replace the present operative paragraph 1 with the following:

"Condemns all forms of totalitarian ideologies and practices, including nazism, fascism and neo-fascism, and those based on systematic denial of human rights and fundamental freedoms, in particular on the grounds of racial intolerance, group hatred or terror."

10. Operative paragraph 2

Replace the present operative paragraph 2 with the following:

"Invites all States to give due consideration to implementing the provisions of United Nations General Assembly resolution 2839 (XXVI) in accordance with the principles of the Universal Declaration of Human Rights."

11. Operative paragraphs 3-6

Replace operative paragraphs 3-6 with a new operative paragraph 3 as follows:

"Requests the Secretary-General to bring the contents of the present resolution to the attention of member States, specialized agencies, and intergovernmental and non-governmental organizations."

41. At the 82nd meeting, on 4 December, the representative of the German Democratic Republic orally revised draft resolution A/C.3/35/L.70/Rev.1 as follows:

(a) In the third preambular paragraph, the words "the unlimited validity of" were deleted, and the words "preserving international peace and security and promoting peaceful co-operation between the States and peoples" were replaced by "maintaining international peace and security, developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international co-operation";

(b) In the fourth preambular paragraph, the words "and observance" were inserted after the word "promotion";

(c) At the end of operative paragraph 2, the following words were added: "in accordance with the national constitutional systems".

42. At the same meeting, the representative of the Netherlands revised the amendments to the draft resolution (see para. 40 above) as follows:

(a) To replace the title of the draft resolution with the following:  
"Measures to be taken against nazi, fascist and neo-fascist activities and all other forms of totalitarian ideologies and practices";

(b) The amendment to the first preambular paragraph was withdrawn (see para. 40 (2) above);

(c) The amendment to the third preambular paragraph was withdrawn (see para. 40 (4) above);

(d) The third part of the amendment to the fourth preambular paragraph was withdrawn (see para. 40 (5) above);

(e) In the amendment to the ninth preambular paragraph (see para. 40 (7) above), the words "including nazism and fascism" were replaced by "including nazi, fascist and neo-fascist activities";

(f) In the amendment to operative paragraph 1 (see para. 40 (9) above), the words "including nazism, fascism and neo-fascism" were replaced by "including nazi, fascist and neo-fascist activities".

43. At the same meeting, the representative of Madagascar orally subamended the revised amendments of the Netherlands by proposing the insertion of the words "based on racial intolerance, hatred and terror";

(a) At the end of the amendment to the title of the draft resolution (see para. 42 (a) above);

(b) After the word "activities" in the amendment to the ninth preambular paragraph (see para. 42 (e) above);

(c) After the word "practices" in the amendment to the tenth preambular paragraph (see para. 40 (8) above); and

(d) After the word "practices" in the amendment to operative paragraph 1 (see para. 40 (9) above).

44. At the same meeting, the Committee voted on the draft resolution and the amendments thereto as follows:

(a) It adopted the subamendments of Madagascar to the amendments of the Netherlands (see para. 43 above) by 51 votes to 29, with 35 abstentions;

(b) It adopted the amendment to the title of the draft resolution, as subamended, by 86 votes to none, with 25 abstentions;

/...

(c) It adopted the amendment to the second preambular paragraph (see para. 40 (3) above) by a recorded vote of 84 to none, with 31 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Burundi, Canada, Central African Republic, Chile, China, Costa Rica, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Afghanistan, Algeria, Barbados, Benin, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, German Democratic Republic, Guyana, Hungary, Ivory Coast, Jamaica, Lao People's Democratic Republic, Madagascar, Maldives, Mali, Mongolia, Mozambique, Nicaragua, Poland, Qatar, Sao Tome and Principe, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

(d) It adopted the first part of the amendment to the fourth preambular paragraph (see para. 40 (5) above) by a recorded vote of 49 to 33, with 29 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Denmark, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Luxembourg, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Portugal, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Swaziland, Sweden, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Algeria, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, German Democratic Republic, Guinea-Bissau, Haiti, Hungary, India, Iran, Iraq, Jordan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Poland, Romania, Sao Tome and Principe, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Bahrain, Bangladesh, Barbados, Bhutan, Burma, Burundi, Fiji, Gabon, Ghana, Guyana, Ivory Coast, Jamaica, Kenya, Maldives, Mali, Mexico, Nigeria, Pakistan, Panama, Sri Lanka, Sudan, Suriname, Trinidad and Tobago, Uganda, United Republic of Cameroon, United Republic of Tanzania, Yugoslavia, Zaire, Zambia.

(e) It adopted the second part of the amendment to the fourth preambular paragraph (see para. 40 (5) above) by a recorded vote of 50 to 17, with 36 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Finland, France, Gabon, Germany, Federal Republic of, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Luxembourg, Morocco, Nepal, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Peru, Portugal, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Swaziland, Sweden, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela,

Against: Algeria, Angola, Benin, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Guinea-Bissau, Hungary, Iraq, Lao People's Democratic Republic, Madagascar, Mozambique, Romania, Viet Nam.

Abstaining: Bangladesh, Barbados, Bhutan, Burma, Burundi, Chad, Democratic Yemen, Ecuador, Egypt, Fiji, Ghana, Guyana, India, Iran, Ivory Coast, Jamaica, Kenya, Libyan Arab Jamahiriya, Maldives, Mali, Mexico, Nicaragua, Nigeria, Pakistan, Panama, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Republic of Cameroon, United Republic of Tanzania, Yugoslavia, Zaire, Zambia.

(f) It adopted the amendment to the eighth preambular paragraph (see para. 40 (6) above) by a recorded vote of 109 to none. The voting was as follows:

In favour: Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Maldives, Mali, Mauritania, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great



Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: None.

(g) It adopted, in a separate vote, the words "and those based on the systematic denial of human rights and fundamental freedoms" of the amendment to the ninth preambular paragraph (see para. 40 (7) above) by a recorded vote of 81 to 15, with 12 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Grenada, Guatemala, Haiti, Honduras, Iceland, India, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lebanon, Luxembourg, Maldives, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Portugal, Qatar, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Togo, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: Afghanistan, Angola, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Mozambique, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Algeria, Congo, Cuba, Democratic Yemen, Greece, Guyana, Libyan Arab Jamahiriya, Madagascar, Mali, Nicaragua, Rwanda, Trinidad and Tobago.

(h) It adopted the amendment to the ninth preambular paragraph (see para. 40 (7) above), as revised and as subamended by Madagascar (see paras. 42 (e) and 43 (b) above), by a recorded vote of 104 to none, with 4 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Paraguay, Poland, Portugal,

Qatar, Romania, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Togo, 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 Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Mali, Nicaragua, Panama, Sao Tome and Principe.

(i) It adopted the amendment to the tenth preambular paragraph (see para. 40 (8) above), as subamended by Madagascar (see para. 43 (c) above), by a recorded vote of 102 to 1, with 10 abstentions. The voting was as follows:

In favour: Afghanistan, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Togo, 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 Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: Algeria.

Abstaining: Barbados, Guyana, India, Iran, Mali, Mozambique, Nicaragua, Panama, Syrian Arab Republic, Trinidad and Tobago.

(j) It adopted the amendment to operative paragraph 1 (see para. 40 (9) above), as revised and as subamended by Madagascar (see paras. 42 (f) and 43 (d) above), by a recorded vote of 109 to none, with 2 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, Colombia, Congo,

/...

Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, India, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, 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 Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Benin, Panama,

(k) It rejected the amendment to operative paragraph 2 (see para. 40 (10) above) by a recorded vote of 54 to 36, with 23 abstentions. The voting was as follows:

In favour: Australia, Belgium, Canada, Chile, Colombia, Costa Rica, Denmark, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Luxembourg, Morocco, Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, Somalia, Spain, Swaziland, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, German Democratic Republic, Guinea-Bissau, Hungary, India, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mauritania, Mexico, Mongolia, Mozambique, Niger, Nigeria, Pakistan, Poland, Qatar, Romania, Sao Tome and Principe, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia.

Abstaining: Austria, Bhutan, Bolivia, Brazil, Burma, Burundi, Djibouti, Fiji, Gabon, Ghana, Guyana, Ivory Coast, Mali, Nepal, Nicaragua, Papua New Guinea, Rwanda, Saudi Arabia, Senegal, Suriname, Trinidad and Tobago, Uganda, Zaire.

(1) It rejected the amendment to operative paragraphs 3 to 6 (see para. 40 (11) above) by a recorded vote of 58 to 25, with 29 abstentions. The voting was as follows:

In favour: Australia, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America,

Against: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Congo, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, German Democratic Republic, Ghana, Guinea-Bissau, Hungary, India, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mexico, Mongolia, Mozambique, Nicaragua, Niger, Nigeria, Pakistan, Poland, Romania, Sao Tome and Principe, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia.

Abstaining: Austria, Bhutan, Bolivia, Brazil, Burma, Central African Republic, Chile, Colombia, Costa Rica, Gabon, Guyana, Ivory Coast, Mali, Nepal, Panama, Papua New Guinea, Paraguay, Qatar, Rwanda, Saudi Arabia, Senegal, Somalia, Sudan, Suriname, Swaziland, Trinidad and Tobago, Uruguay, Venezuela, Zaire.

(m) It adopted, in a separate vote, the word "all" in operative paragraph 2 by a recorded vote of 44 to 22, with 31 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Barbados, Belgium, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Central African Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, France, German Democratic Republic, Hungary, India, Jamaica, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mexico, Mongolia, Mozambique, Pakistan, Poland, Romania, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yugoslavia, Zambia.

/...

Against: Australia, Austria, Canada, Germany, Federal Republic of, Guinea-Bissau, Honduras, Italy, Japan, Lesotho, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Papua New Guinea, Portugal, Somalia, Swaziland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Abstaining: Bahamas, Bangladesh, Bhutan, Brazil, Burma, Burundi, Chad, Chile, Colombia, Costa Rica, Fiji, Gabon, Ghana, Greece, Guatemala, Guyana, Ireland, Israel, Ivory Coast, Kenya, Mali, Nepal, Panama, Paraguay, Rwanda, Senegal, Spain, Sudan, Suriname, Trinidad and Tobago, Tunisia.

(n) It adopted, in a separate vote, the words "in accordance with the national constitutional systems" in operative paragraph 2 by a recorded vote of 78 to 3, with 24 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Australia, Austria, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, Colombia, Congo, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Egypt, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, India, Iran, Ireland, Italy, Japan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Peru, Poland, Portugal, Romania, Sao Tome and Principe, Somalia, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia.

Against: Argentina, Ecuador, Jamaica.

Abstaining: Bahamas, Bolivia, Brazil, Burma, Burundi, Chad, Costa Rica, Fiji, Guatemala, Guyana, Israel, Ivory Coast, Mali, Niger, Pakistan, Rwanda, Senegal, Suriname, Togo, Trinidad and Tobago, Uganda, United Republic of Tanzania, Zaire, Zambia.

(o) It adopted, in a separate vote, operative paragraph 2 as a whole by a recorded vote of 75 to none, with 34 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guinea-Bissau, Hungary, Iceland, India, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait,

/...

Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Pakistan, Peru, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Sudan, Suriname, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Austria, Bahamas, Belgium, Brazil, Canada, Central African Republic, Denmark, France, Gabon, Guyana, Honduras, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Morocco, Netherlands, New Zealand, Niger, Norway, Panama, Portugal, Somalia, Spain, Swaziland, Sweden, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

(p) It adopted, in a separate vote, the word "all" in operative paragraph 3 by a recorded vote of 70 to none, with 31 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bangladesh, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chile, Colombia, Congo, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, German Democratic Republic, Ghana, Greece, Guatemala, Hungary, India, Ireland, Italy, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Pakistan, Peru, Poland, Romania, Rwanda, Sao Tome and Principe, Sudan, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Bahamas, Barbados, Belgium, Burma, Canada, Chad, Costa Rica, Gabon, Germany, Federal Republic of, Guyana, Honduras, Israel, Ivory Coast, Japan, Luxembourg, Morocco, Netherlands, New Zealand, Niger, Panama, Portugal, Qatar, Somalia, Spain, Suriname, Swaziland, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

(q) It adopted, in a separate vote, operative paragraph 4 by a recorded vote of 80 to 3, with 29 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Guatemala, Guinea-Bissau, Hungary, India, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Paraguay, Peru, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Senegal, Sudan, Suriname, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: Australia, Greece, United States of America.

Abstaining: Austria, Bahamas, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Guyana, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Netherlands, New Zealand, Norway, Panama, Portugal, Somalia, Spain, Swaziland, Sweden, Trinidad and Tobago, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

(r) It adopted draft resolution A/C.3/35/L.70/Rev.1, as revised and amended, by a recorded vote of 105 to none, with 16 abstentions (see para. 92, draft resolution VIII). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Spain, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Bahamas, Canada, Denmark, Germany, Federal Republic of, Guyana, Iceland, Japan, Malawi, Maldives, New Zealand, Norway, Panama, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America.

I. Draft resolution A/C.3/35/L.71 and Rev.1 and 2

45. The Committee had before it a draft resolution (A/C.3/35/L.71) entitled "The situation of human rights and fundamental freedoms in El Salvador" sponsored by Angola, Cuba, Democratic Yemen, Iraq, Mozambique, Nicaragua and Sao Tome and Principe. The draft resolution read as follows:

"The General Assembly,

"Guided by the principles embodied in the Charter of the United Nations and Universal Declaration of Human Rights,



"Conscious of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

"Noting that all Governments have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

"Bearing in mind resolution 19 of 30 July 1980 of the World Conference of the United Nations Decade for Women which calls on this body to "consider violations of human rights in El Salvador and to adopt measures that will quickly lead to the restoration of human rights and fundamental freedoms in that country",

"Dismayed by reports of human rights violations in El Salvador and especially by the death of thousands of persons and the climate of repression and insecurity prevailing in the country,

"Deeply shocked by the vile assassination of Archbishop Oscar Arnulfo Romero, a prestigious personality, outstanding for his defence of the human rights of the Salvadorean people, and by the persecution of religious figures, and other prominent persons,

"Gravely concerned about the unknown fate of many persons detained by the authorities,

"Considering that the supply of arms and other military assistance, to El Salvador will serve to aggravate the situation in that country,

"1. Expresses its deep concern for the grave violations of human rights and fundamental freedoms in El Salvador;

"2. Deplores the murders, disappearances and other violations of human rights reported in El Salvador;

"3. Demands the Salvadorean Government to take the necessary steps to ensure full respect for human rights and fundamental freedoms in that country;

"4. Calls on Governments to refrain from the supply of arms and other military assistance to El Salvador in the current circumstances;

"5. Requests the Commission on Human Rights to examine, at its thirty-seventh session, the situation of human rights in El Salvador and to submit to the General Assembly, at its thirty-sixth session, its consideration of this subject."

46. The Committee also had before it a revised draft resolution (A/C.3/35/L.71/Rev.1) sponsored by Angola, Cuba, Democratic Yemen, Iraq, Mozambique, Nicaragua and Sao Tome and Principe, subsequently joined by Benin and Ecuador. The revised draft resolution read as follows:

/...

"The General Assembly,

"Guided by the principles embodied in the Charter of the United Nations and the Universal Declaration of Human Rights,

"Conscious of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

"Noting that all Governments have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

"Bearing in mind resolution 19 of 30 July 1980 of the World Conference of the United Nations Decade for Women,

"Dismayed by reports of human rights violations in El Salvador and especially by the death of thousands of persons and the climate of repression and insecurity prevailing in the country,

"Deeply shocked by the vile assassination of Archbishop Oscar Arnulfo Romero, a prestigious personality, outstanding for his defence of the human rights of the Salvadorean people, and by the persecution of religious figures, and other prominent persons,

"Gravely concerned about the unknown fate of many persons detained by the authorities,

"Considering that the supply of arms and other military assistances, to El Salvador will serve to aggravate the situation in that country,

"1. Expresses its deep concern for the grave violations of human rights and fundamental freedoms in El Salvador;

"2. Deplores the murders, disappearances and other violations of human rights reported in El Salvador;

"3. Urges the Salvadorean Government to take the necessary steps to ensure full respect for human rights and fundamental freedoms in that country;

"4. Appeals for a cessation of violence and for the establishment of full respect for human rights in El Salvador;

"5. Calls on Governments to refrain from the supply of arms and other military assistance to El Salvador in the current circumstances;

"6. Requests the Commission on Human Rights to examine, at its thirty-seventh session, the situation of human rights in El Salvador."

47. At the 77th meeting, on 2 December, the representative of Cuba introduced a further revised draft resolution (A/C.3/35/L.71/Rev.2) on behalf of Angola, Benin, Cuba, Democratic Yemen, Ecuador, Iraq, Mozambique, Nicaragua, Panama and Sao Tome and Principe, subsequently joined by Algeria, Mexico, Viet Nam and Yugoslavia.

48. At the 80th meeting, on 3 December, the representative of Cuba orally revised the text by deleting the words "to El Salvador" in the last preambular paragraph and in operative paragraph 5.

49. At the same meeting, the Committee adopted draft resolution A/C.3/35/L.71/Rev.2, as revised, by a recorded vote of 63 to 13, with 48 abstentions (see para. 92, draft resolution IX). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Austria, Barbados, Belgium, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Ethiopia, Finland, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, Iran, Iraq, Ireland, Jamaica, Kenya, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mauritania, Mexico, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sweden, Syrian Arab Republic, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Argentina, Bolivia, Brazil, Chile, Colombia, Comoros, Costa Rica, El Salvador, Guatemala, Paraguay, Philippines, United States of America, Uruguay.

Abstaining: Australia, Bahamas, Bahrain, Bangladesh, Bhutan, Burundi, Central African Republic, Chad, Equatorial Guinea, Fiji, France, Gabon, Gambia, Germany, Federal Republic of, Haiti, India, Indonesia, Israel, Italy, Ivory Coast, Japan, Jordan, Kuwait, Lesotho, Malawi, Malaysia, Maldives, Mali, Nepal, Niger, Oman, Pakistan, Papua New Guinea, Peru, Portugal, Qatar, Saudi Arabia, Singapore, Suriname, Swaziland, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Venezuela, Zaire.

#### J. Draft resolution A/C.3/35/L.74

50. At the 77th meeting, on 2 December, the representative of France introduced a draft resolution (A/C.3/35/L.74) entitled "Question of involuntary or enforced disappearances", sponsored by Austria, Barbados, Costa Rica, Cyprus, France, Greece,

Lesotho, Panama, Senegal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Canada and the United States of America.

51. At the 81st meeting, on 4 December, the Committee adopted draft resolution A/C.3/35/L.74 without a vote (see para. 92, draft resolution X).

K. Draft resolution A/C.3/35/L.76

52. At the 77th meeting, on 2 December, the representative of Italy introduced a draft resolution (A/C.3/35/L.76) entitled "Report of the Economic and Social Council". The draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 34/47,

"Recalling resolution 22 (XXXVI) of the Commission on Human Rights,

"Also recalling decision 1980/132 of the Economic and Social Council,

"Having considered the report of the Secretary-General contained in document A/35/607,

"Noting that in his annual report on the work of the Organization, submitted to the General Assembly at its thirty-fourth session, the Secretary-General stated that he was 'prepared to consider all useful suggestions for strengthening the contribution of the Secretariat in a field which is of fundamental importance to the future development of our society',

"Also noting that the Secretary-General states in his report that the Division of Human Rights 'meets the technical criteria for a Centre, as set forth in his report on organizational nomenclature in the Secretariat (A/C.5/32/17)',

"Expresses its appreciation to the Secretary-General for the serious consideration given to the question of the redesignation of the Division of Human Rights as a Centre for Human Rights,

"1. Requests the Secretary-General to proceed with the redesignation of the Division of Human Rights as a Centre for Human Rights,

"2. Further requests the Secretary-General to report on the implementation of this resolution to the Commission on Human Rights at its thirty-seventh session and to the General Assembly at its thirty-sixth session."

53. At the 83rd meeting, on 5 December, the representative of Italy orally revised the text as follows:

/...

(a) The sixth preambular paragraph was modified to read:

"Also noting that the Secretary-General states in his report that 'while the Division of Human Rights meets the technical criteria for a Centre, as set forth in his report on the organizational nomenclature in the Secretariat (A/C.5/32/17), he believes that further consideration of the matter is required, '";

(b) Operative paragraphs 1 and 2 were replaced by the following text:

"Requests the Secretary-General to keep this question under consideration with the view to redesignating the Division of Human Rights into a Centre for Human Rights when he deems it appropriate, taking into account the views expressed by Member States at its thirty-fifth session."

54. At the same meeting, the representative of Egypt proposed an oral amendment to replace, in the operative paragraph, the words "at its thirty-fifth session" by "in this connexion".

55. The amendment was subsequently withdrawn by its sponsor.

56. At the 84th meeting, on 5 December, the representative of Niger proposed an oral amendment to replace, in the operative paragraph, the words "with a view" by the word "and".

57. The amendment was subsequently withdrawn by its sponsor.

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

(a) It adopted, in a separate vote, the words "while the Division of Human Rights meets the technical criteria for a Centre, as set forth in his report on organizational nomenclature in the Secretariat" by a recorded vote of 89 to none, with 25 abstentions. The voting was as follows:

In favour: Algeria, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Burundi, Canada, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Iran, Ireland, Israel, Italy, Jamaica, Japan, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Senegal, Sierra Leone, Somalia, Spain, Sudan, Suriname, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey,

United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: None.

Abstaining: Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Czechoslovakia, Egypt, German Democratic Republic, Guatemala, Guinea, Hungary, Ivory Coast, Kenya, Lao People's Democratic Republic, Mongolia, Nicaragua, Poland, Romania, Rwanda, Swaziland, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam, Zaire.

(b) It adopted draft resolution A/C.3/35/L.76, as revised, without a vote (see para. 92, draft resolution XI).

L. Draft resolution A/C.3/35/L.77

59. At the 77th meeting, on 2 December, the representative of the Federal Republic of Germany introduced a draft resolution (A/C.3/35/L.77) entitled "International co-operation in drug abuse control", sponsored by Argentina, Australia, Bahamas, Bolivia, Costa Rica, Cyprus, the Dominican Republic, Germany, Federal Republic of, India, Jamaica, Lesotho, Malaysia, Mauritania, New Zealand, Norway, Pakistan, the Philippines, Sweden, Tunisia, the United States of America and Uruguay, subsequently joined by Austria, Morocco, Niger, Papua New Guinea, Yugoslavia and Zaire.

60. At the same meeting, the representative of Morocco proposed the following oral amendments to the draft resolution:

(a) To insert a new paragraph after operative paragraph 4 reading as follows:

"5. Also requests all States, in particular consumer States, to use every means to combat and condemn the powerful economic interests which encourage increased use of drugs and seek their improper legalization".

(b) To insert a new paragraph after operative paragraph 5 reading as follows:

"6. Underlines furthermore the need of producing countries to receive greater assistance from interested countries in order to facilitate the implementation of crop-substitution policies".

61. The amendments were subsequently withdrawn by their sponsors.

62. At the 81st meeting, on 4 December, the representative of the Federal Republic of Germany orally revised the draft resolution as follows:

(a) The fifth preambular paragraph was deleted;

/...

(b) In the sixth preambular paragraph and in operative paragraph 2 the words "as amended by" were deleted; and after 1972 the following words were added "amending the Single Convention on Narcotic Drugs of 1961";

(c) A new operative paragraph was inserted after paragraph 4 reading as follows:

"5. Invites States concerned to take appropriate measures to discourage the powerful economic interests which are propagating a false and deceitful image of drug use with the aim to increase the number of drug abuses and to legalize the abuse;"

(d) A new operative paragraph was inserted after the original paragraph 5 reading as follows:

"7. Underscores the need of producing countries to receive greater assistance from interested Governments and concerned international organizations to facilitate drug abuse control, including crop substitution policies or law enforcement programmes;"

(e) The paragraphs were renumbered accordingly.

63. At the same meeting, the Committee adopted draft resolution A/C.3/35/L.77, as revised, without a vote (see para. 92, draft resolution XII).

M. Draft resolution A/C.3/35/L.78

64. At the 77th meeting, on 2 December, the representative of Canada introduced a draft resolution (A/C.3/35/L.78) entitled "Good offices of the Secretary-General in cases of human rights violations", sponsored by Canada, Cyprus, Equatorial Guinea, the Gambia, Greece, Lesotho, Senegal, Spain and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Nicaragua and Somalia. The draft resolution read as follows:

"The General Assembly,

"Conscious of the responsibility of the United Nations expressed, inter alia, in resolution 32/130 of 16 December 1977, in dealing with situations of mass and flagrant violations of human rights;

"Recalling its resolution 34/175 on Effective Action against Mass and Flagrant Violations of Human Rights;

"Taking note of the pertinent provisions of resolutions 1979/36 of the Economic and Social Council and 27 (XXXVI) of the Commission on Human Rights, which requested the Secretary-General to continue and intensify the good offices envisaged in the Charter of the United Nations in the field of human rights;

/...

"Further recalling resolution 1980/43 of the Economic and Social Council on international efforts to meet humanitarian needs in emergency situations, as well as resolution 30 (XXXVI) of the Commission on Human Rights on human rights and massive exoduses;

"Believing that in cases of mass and flagrant violations of human rights the United Nations should be informed of the facts of a situation as urgently as possible, and should seek to take timely action in dealing with and responding to the humanitarian requirements of such situations;

"Recognizing the valuable role performed by the Secretary-General in exercising good offices in respect of situations of mass and flagrant violations of human rights, and in co-operating with Governments in dealing with these situations, by means of personal endeavours, or the use of special representatives, emissaries or experts or by other means;

"1. Reiterates that mass and flagrant violations of human rights are of special concern to the United Nations;

"2. Urges once again the appropriate United Nations bodies, within their mandates, particularly the Commission on Human Rights, to take timely and effective action in existing and future cases of mass and flagrant violations of human rights;

"3. Requests the Secretary-General, when urgent situations of mass and flagrant violations of human rights arise, to consider establishing direct contact with the Government concerned, with a view to assisting the Government concerned in the full restoration of respect for human rights and fundamental freedoms as quickly as possible, and also with a view to considering what forms of assistance the United Nations can provide to the Government concerned;

"4. Further requests the Secretary-General to keep the President of the Economic and Social Council or Chairman of the Commission on Human Rights informed of developments regarding such situations as well as regarding any action which is to be undertaken in relation thereto."

65. At the 81st meeting, on 4 December, the representative of Canada orally revised the text as follows:

(a) In the fifth preambular paragraph and in operative paragraph 1, the words "arising out of situations referred to in paragraph 1 (e) of its resolution 32/130" were inserted after the words "violations of human rights";

(b) In the sixth preambular paragraph, the words "as envisaged in the Charter" were inserted after the words "good offices";



(c) In operative paragraph 3, the words "with its consent" were inserted after the words "with a view to assisting the Government concerned".

66. At the 82nd meeting, on 4 December, the representative of Brazil proposed the following oral amendments to the draft resolution:

(a) To add a new preambular paragraph 7 reading as follows:

"Bearing in mind the Charter of the United Nations, particularly Article 2, paragraph 7,";

(b) To insert a new operative paragraph 4 reading as follows:

"4. Affirms that nothing in this resolution should be understood as authorizing a qualitative change in the role of the Secretary-General or endorsing any action not in line with the principles set forth in the Charter, particularly in Article 2, paragraph 7;".

67. At the same meeting, the representative of Jordan proposed the following oral amendments:

(a) To add a new preambular paragraph 4 reading as follows:

"Considering that foreign forcible domination and occupation are mass and flagrant violations of human rights,";

(b) In the sixth preambular paragraph, to insert after the words "human rights" the following: "particularly in territories under foreign forcible acquisition, domination and occupation";

(c) In operative paragraph 3, to insert after the word "arise" the following: "particularly in territories under foreign forcible acquisition, domination and occupation".

68. The sponsors accepted the amendments of Jordan and revised the text accordingly.

69. At the same meeting, the representative of India proposed an oral amendment to replace the words "with its consent" by "upon its request".

70. The Committee then took the following action on the draft resolution and the amendments thereto:

(a) It adopted the first amendment of Brazil (see para. 66 (a) above) by a recorded vote of 67 to 31, with 28 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chile,

Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mongolia, Mozambique, Nepal, Nicaragua, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Sao Tome and Principe, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Canada, Cyprus, Denmark, Ecuador, Finland, France, Gabon, Germany, Federal Republic of, Greece, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan, Lesotho, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Portugal, Senegal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bahrain, Barbados, Central African Republic, Colombia, Costa Rica, Dominican Republic, Fiji, Ghana, Ivory Coast, Jamaica, Mali, Mauritania, Morocco, Niger, Nigeria, Panama, Papua New Guinea, Rwanda, Saudi Arabia, Suriname, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Republic of Cameroon, Venezuela, Zaire.

(b) It adopted the amendment of India (see para. 69 above) by a recorded vote of 47 to 39, with 40 abstentions. The voting was as follows:

In favour: Afghanistan, Angola, Argentina, Bahrain, Bangladesh, Bhutan, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chile, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Guatemala, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iraq, Kenya, Kuwait, Lao People's Democratic Republic, Madagascar, Mongolia, Nepal, Oman, Paraguay, Peru, Poland, Qatar, Romania, Sri Lanka, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Viet Nam, Yugoslavia.

Against: Australia, Austria, Belgium, Canada, Cyprus, Denmark, Ecuador, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Greece, Haiti, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Lesotho, Luxembourg, Mexico, Morocco, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Rwanda, Senegal, Spain, Sweden, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Algeria, Barbados, Benin, Botswana, Central African Republic, Colombia, Congo, Costa Rica, Djibouti, Dominican Republic, Ghana, Guinea, Honduras, Jamaica, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mozambique, Nicaragua, Niger, Nigeria, Pakistan, Panama, Philippines, Sao Tome and Principe, Saudi Arabia, Singapore, Somalia, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Venezuela, Zaire, Zambia.

(c) It adopted, in a separate vote, the words "particularly Article 2, paragraph 7" of the second amendment of Brazil (see para. 66 (b) above) by a recorded vote of 51 to 35, with 32 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bangladesh, Benin, Bolivia, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cape Verde, Chile, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, German Democratic Republic, Guatemala, Guinea-Bissau, Guyana, Hungary, India, Iran, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Mongolia, Mozambique, Nicaragua, Oman, Paraguay, Peru, Philippines, Poland, Romania, Sao Tome and Principe, Somalia, Sudan, Syrian Arab Republic, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Viet Nam, Yugoslavia, Zambia.

Against: Australia, Austria, Belgium, Canada, Cyprus, Denmark, Ecuador, Fiji, Finland, France, Germany, Federal Republic of, Greece, Honduras, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Lesotho, Luxembourg, Mexico, Morocco, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Senegal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bahamas, Barbados, Bhutan, Burundi, Central African Republic, Chad, Colombia, Costa Rica, Djibouti, Dominican Republic, Ghana, Guinea, Haiti, Jamaica, Kenya, Liberia, Mali, Nigeria, Pakistan, Panama, Rwanda, Saudi Arabia, Sri Lanka, Suriname,

Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia,  
United Republic of Cameroon, Venezuela, Zaire.

(d) It adopted an oral proposal made by the representative of Ireland not to take action on the second amendment of Brazil and on draft resolution A/C.3/35/L.78 as thus far amended. This proposal was adopted by a recorded vote of 64 to 33, with 29 abstentions. The voting was as follows:

In favour: Australia, Austria, Bahamas, Barbados, Belgium, Canada, Central African Republic, Chad, Colombia, Costa Rica, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Greece, Guinea, Haiti, Honduras, Iceland, India, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Lebanon, Lesotho, Luxembourg, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Niger, Norway, Oman, Papua New Guinea, Portugal, Rwanda, Senegal, Somalia, Spain, Sudan, Swaziland, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yugoslavia.

Against: Afghanistan, Algeria, Angola, Argentina, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Guatemala, Guinea-Bissau, Hungary, Iran, Kuwait, Lao People's Democratic Republic, Liberia, Madagascar, Mongolia, Nicaragua, Paraguay, Peru, Poland, Romania, Sao Tome and Principe, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam, Zambia.

Abstaining: Bahrain, Bangladesh, Benin, Bhutan, Burundi, Chile, Guyana, Indonesia, Kenya, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Nigeria, Pakistan, Panama, Philippines, Qatar, Saudi Arabia, Singapore, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, United Arab Emirates, United Republic of Cameroon, Venezuela, Zaire.

N. Draft resolution A/C.3/35/L.79

71. At the 77th meeting, on 2 December, the representative of Canada introduced a draft resolution (A/C.3/35/L.79) entitled "Mass exoduses" sponsored by Australia,

Canada, Costa Rica, Greece, Pakistan, Panama, Senegal and the Sudan, subsequently joined by Japan, Somalia and the United States of America. The draft resolution read as follows:

"The General Assembly,

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

"Disturbed by the scale and magnitude of the exoduses of populations involving hundreds of thousands of men, women and children in many regions of the world,

"Noting the immense burden imposed on the first host countries and territories which receive the victims of these sudden and massive movements of population,

"Bearing in mind the resolutions of the Economic and Social Council concerning international efforts to meet humanitarian needs in emergency situations,

"Recalling resolution 30 (XXXVI) of the Commission on Human Rights, concerning human rights and massive exoduses,

"1. Expresses deep concern at the continued incidences of large-scale exoduses of populations and the resulting hardships and problems for the persons and States concerned;

"2. Expresses determination to facilitate solutions to the problems caused by these large-scale movements of population;

"3. Endorses the request of the Commission on Human Rights in its resolution 30 (XXXVI):

"(a) That the Secretary-General, in cases where a large-scale exodus becomes a matter of international concern and solidarity, consider establishing direct contact with appropriate Governments, assess the relationship between the situation and full enjoyment of human rights and make concrete recommendations for ameliorating such situations, and

"(b) That the Secretary-General, where warranted, submit to the next session of the Commission on Human Rights a summary of his findings and recommendations so as to assist Governments in restoring full enjoyment of human rights.

"4. Requests the Secretary-General to submit to the thirty-seventh session of the Commission on Human Rights a report setting out steps so far taken to implement resolution 30 (XXXVI) of the Commission as well as the present resolution and to include any possible findings and recommendations;

"5. Requests the Commission on Human Rights at its next session to examine the report of the Secretary-General, and on the basis of this report to make recommendations for further action;

"6. Decides, in light of the consideration given it by the Commission on Human Rights, to consider this question at its thirty-sixth session under Item 12 of the Agenda entitled 'The Report of the Economic and Social Council'."

72. At the 84th meeting, on 5 December, the representative of Canada orally revised the text as follows:

(a) In the second preambular paragraph and in operative paragraph 1, the words "and displacements" were inserted after the word "exoduses";

(b) In operative paragraph 3, the subparagraphs (a) and (b) were deleted;

(c) Operative paragraph 4 was deleted;

(d) The paragraphs were renumbered accordingly.

73. At the same meeting, the Committee adopted draft resolution A/C.3/35/L.79, as revised, without a vote (see para. 92, draft resolution XIII).

#### O. Draft resolution A/C.3/35/L.84

74. At the 72nd meeting, on 28 November, the representative of Sri Lanka introduced a draft resolution (A/C.3/35/L.84) entitled "Regional, national and local arrangements for the promotion and protection of human rights", sponsored by Bangladesh, New Zealand, Nigeria and Sri Lanka, subsequently joined by Barbados, Ireland, Jamaica, Morocco, Norway, Somalia and the United Kingdom of Great Britain and Northern Ireland.

75. The attention of the Committee was drawn to the statement on the administrative and financial implications (A/C.3/35/L.93) of the draft resolution.

76. At the same meeting, the Committee adopted draft resolution A/C.3/35/L.84 without a vote (see para. 92, draft resolution XIV).

#### P. Draft resolution A/C.3/35/L.85

77. At the 72nd meeting, on 28 November, the representative of Algeria introduced a draft resolution (A/C.3/35/L.85) entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers", sponsored by Algeria, Barbados, Benin, Colombia, the Dominican Republic, Ecuador, Egypt, Jamaica, Madagascar, Mali,

Mexico, Pakistan, the Philippines, Romania, Senegal, Tunisia, Turkey and Yugoslavia, subsequently joined by Cape Verde, Mauritania, Nigeria, Rwanda and Suriname.

78. At the 73rd meeting, on 28 November, the representatives of Algeria and Mexico orally revised the draft resolution as follows:

(a) In operative paragraph 2, the words "Chairman of the" were inserted before "working group" and the words "submitted by its Chairman" were deleted;

(b) In operative paragraph 4, the words "of the Chairman" were inserted after the word "report";

(c) After operative paragraph 4 the representative of Algeria proposed the insertion of a new paragraph reading as follows:

"5. Also invites the Secretary-General to communicate, for information purposes, the above-mentioned documents to the competent organs of the United Nations system and to the interested international organizations, in order to enable them to participate in the work of the working group and to co-operate in the preparation of the draft Convention."

(d) In original operative paragraph 5, the representative of Algeria proposed the insertion after the word "Governments" of the words "to the competent organs of the United Nations system and to interested international organizations";

(e) The representative of Algeria proposed the renumbering of the paragraphs accordingly.

79. At the same meeting, the representative of the United States of America proposed the following oral amendments:

(a) At the end of the third preambular paragraph, to add the words "as well as the economic benefits derived by States of origin from migrant workers";

(b) In the sixth preambular paragraph, to replace the words "the need for further efforts" by "the need to consider further efforts";

(c) To delete operative paragraph 2;

(d) To replace operative paragraph 4 by the following:

"4. Invites the Secretary-General to communicate to Member States the report of the Chairman of the working group and the documents annexed to it and to request comments on the report and annexed documents prior to the forthcoming intersessional meeting";

(e) In the new operative paragraph 5, to replace the words "for information" by "for purposes of receiving comments";

(f) To replace operative paragraph 6 /original operative para. 5/ by the following:

"6. Further invites the Secretary-General to communicate to Member States, competent organs of the United Nations system and interested international organizations a report on the progress made by the working group at its forthcoming intersessional meeting in order to obtain comments and to ensure effective preparation of the work of the thirty-sixth session of the General Assembly on the elaboration of a draft convention on the protection of the rights of all migrant workers and their families;"

80. At the same meeting, the representative of the United States of America withdrew his amendments to preambular paragraphs 3 (see para. 79 (a)) and 6 (see para. 79 (b)) and modified the remaining amendments as follows:

(a) In operative paragraph 2, to replace the words "with satisfaction" by "with appreciation";

(b) In operative paragraph 4, to insert the words "for comments" before the words "in order to enable";

(c) In the new operative paragraph 5, to replace the word "information" by "receiving comments";

(d) In operative paragraph 6 /original operative para. 5/ to insert the words "for comments" after the words "intersessional meeting".

81. Also at the same meeting, the representative of Niger proposed an oral amendment to operative paragraph 4 by which the words "their respective" should be deleted.

82. The attention of the Committee was drawn to the administrative and financial implications of the draft resolution contained in document A/C.3/35/L.94.

83. At the same meeting, the Committee voted on the amendments and on the draft resolution as follows:

(a) It rejected the first amendment of the United States (see para. 80 (a) above) by 71 votes to 19, with 23 abstentions;

(b) It rejected the second amendment of the United States (see para. 80 (b) above) by 61 votes to 33, with 21 abstentions;

(c) It rejected the amendment of Niger (see para. 81 above) by 57 votes to 13, with 39 abstentions;



(d) It rejected the third amendment of the United States (see para. 80 (c) above) by 64 votes to 30, with 19 abstentions;

(e) It rejected the fourth amendment of the United States (see para. 80 (d) above) by 65 votes to 30, with 19 abstentions;

(f) It adopted draft resolution A/C.3/35/L.85, as revised, by a recorded vote of 117 to none, with 12 abstentions (see para. 92, draft resolution XV). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Australia, Belgium, France, Germany, Federal Republic of, Greece, Japan, Luxembourg, Netherlands, New Zealand, Papua New Guinea, United Kingdom of Great Britain and Northern Ireland, United States of America.

Q. Draft resolution A/C.3/35/L.86

84. At the 72nd meeting, on 28 November, the representative of the United Kingdom introduced a draft resolution (A/C.3/35/L.86) entitled "Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live", sponsored by Barbados, Belgium, Costa Rica, Egypt, Finland, France, Germany, Federal Republic of, Ghana, Jamaica, Mexico, Morocco, the Netherlands, Papua New Guinea, Sweden, the United Kingdom of Great Britain and Northern Ireland and Uruguay, subsequently joined by Greece.

85. At the 73rd meeting, on 28 November, the representative of the Union of Soviet Socialist Republics proposed an oral amendment to delete operative paragraph 2 of the draft resolution.

86. At the same meeting, the representative of Sweden orally proposed the following draft decision on the question:

"The General Assembly, taking note of draft resolutions A/C.3/35/L.73/Rev.1 and A/C.3/35/L.86, decides to establish at its thirty-sixth session a working group to meet, if possible twice weekly for six weeks, for the further elaboration of the draft body of principles for the protection of all persons under any form of detention or imprisonment and of the draft declaration on the human rights of individuals who are not citizens of the country in which they live."

87. At the same meeting, the representative of Sweden withdrew his draft proposal.

88. The attention of the Committee was drawn to the administrative and financial implications of the draft resolution contained in document A/C.3/35/L.95.

89. Also at the same meeting, the Committee voted on the draft resolution as follows:

(a) It rejected the amendment of the USSR (see para. 85 above) by a recorded vote of 62 to 21, with 35 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Poland, Romania, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Viet Nam.

Against: Australia, Austria, Bahamas, Barbados, Belgium, Botswana, Canada, Chile, Colombia, Costa Rica, Democratic Kampuchea, Denmark,

Ecuador, Egypt, El Salvador, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Lebanon, Liberia, Luxembourg, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Portugal, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sweden, Thailand, Trinidad and Tobago, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Venezuela.

Abstaining: Bangladesh, Bhutan, Bolivia, Brazil, Burma, Burundi, Cape Verde, Central African Republic, Chad, Congo, Cyprus, Dominican Republic, Gabon, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Nicaragua, Rwanda, Sao Tome and Principe, Swaziland, Tunisia, Yugoslavia, Zaire, Zambia, Zimbabwe.

(b) It adopted draft resolution A/C.3/35/L.86 without a vote (see para. 92, draft resolution XVI).

R. Draft resolution A/C.3/35/L.88

90. The Committee had before it a draft resolution (A/C.3/35/L.88) entitled "Human rights situation in Bolivia", sponsored by Nicaragua and Panama. The draft resolution read as follows:

"The General Assembly,

"(1) Noting that all Member States have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments;

"(2) Recalling its resolution 34/175 on effective action against mass and flagrant violations of human rights;

"(3) Alarmed at reports of mass and flagrant violations of human rights in Bolivia;

/...

"(4) Taking note with satisfaction of the resolution of the Permanent Council of the Organization of American States on Solidarity with the Bolivian People (CP/RES.308/80) which deplored the military coup and expressed its deepest concern over the loss of human lives and the grave violations of the human rights of the Bolivian people;

"(5) Recalling that the Sixth Conference of Heads of States or Government of Non-Aligned Countries urged members of the movement to maintain a position of support and solidarity for the consolidation of the democratic process in Bolivia;

"(6) Further recalling resolution 46 of the World Conference of the United Nations Decade for Women which 'resolved to condemn most vigorously any action designed to prevent the Bolivian people from achieving the goal it had freely set for itself';

"1. Deplores the military coup of 17 July 1980 that suspends indefinitely the process of democratic institutionalization that was taking place in Bolivia and violates the right of the Bolivian people to self-determination;

"2. Strongly urges the Bolivian authorities to take necessary steps to ensure the respect for human rights and fundamental freedoms, including the restoration of freedom of expression and trade union rights;

"3. Requests the Commission on Human Rights to review at its thirty-seventh session (spring 1981) the situation in Bolivia and to report on this subject through the Economic and Social Council, to the General Assembly at its thirty-sixth session."

91. At the 72nd meeting, on 28 November, the draft resolution was withdrawn by its sponsors.

### III. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

#### DRAFT RESOLUTION I

#### Human rights in Bolivia

The General Assembly,

Noting that all Member States have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

Recalling its resolution 34/175 of 17 December 1979 on effective action against mass and flagrant violations of human rights,

Having taken cognizance of reports on violations of human rights in Bolivia,

Taking note with satisfaction of the decision of the Preparatory Committee of the General Assembly of the Organization of American States to include the question of Bolivia on the agenda for its tenth regular session, and of resolution CP/RES.308/80 of its Permanent Council,

Taking note also of the letter of the Bolivian authorities to the Secretary-General, dated 29 October 1980, indicating their readiness to fix a date on which a delegation from the Commission on Human Rights may visit Bolivia, 3/

1. Urges the Bolivian authorities to ensure respect for human rights and fundamental freedoms, including freedom of expression and trade union rights;
2. Requests the Commission on Human Rights to accept the invitation by the Bolivian authorities in order to study the human rights situation at first hand and to review at its thirty-seventh session the human rights situation in Bolivia.

## DRAFT RESOLUTION II

### Exchange of information on banned hazardous chemicals and unsafe pharmaceutical products

The General Assembly,

Recalling its resolution 34/173 of 17 December 1979, in which it recognized the urgent need to take concrete measures to prevent adverse effects on health on a world-wide basis,

Noting with regret that the Secretary-General was unable to present the report requested in its resolution 34/173,

Aware that the Commission on Transnational Corporations will examine the report on the activities of the United Nations Centre on Transnational Corporations and the study on transnational corporations in the pharmaceutical industry in developing countries, according to the agenda approved by Economic and Social Council decision 1980/170 of 29 July 1980,

Aware also that many organs, organizations and bodies of the United Nations system have interest in and expertise on this subject and can therefore provide valuable assistance to the Secretary-General in his preparation of the report for next year,

Taking into account that the United Nations Conference on Trade and Development, the Economic Commission for Europe, the Centre for Transnational Corporations and the United Nations Division of Narcotic Drugs, the International Labour Organisation; the Food and Agriculture Organization of the United Nations, and the World Health Organization have already been involved in this exercise,

Conscious of the importance of the information system on transnational corporations for the analysis of transnationals in particular sectors of special social and humanitarian interest to host countries, particularly developing countries,

Mindful of the importance of objective information about banned hazardous chemicals and unsafe pharmaceutical products,

1. Invites Member States to provide information on the measures they have taken to exchange information on hazardous chemicals and unsafe pharmaceutical products that have been banned in their countries;
2. Requests the Commission on Transnational Corporations to study, during its seventh session, the ways and means within the information system on transnational corporations to improve the exchange of information on banned hazardous chemicals and unsafe pharmaceutical products, with a view to formulating appropriate recommendations;
3. Requests once again the Secretary-General, in co-operation with the United Nations organs, organizations and bodies concerned, to submit a report to the General Assembly at its thirty-sixth session about the experience of Member States and United Nations organs, organizations and bodies concerned;
4. Appeals to the United Nations organs, organizations and bodies concerned, especially the World Health Organization, to provide any assistance, expertise and co-operation required for the preparation of the above-mentioned report.

### DRAFT RESOLUTION III

#### Refugee and displaced children

The General Assembly,

Noting with deep concern the increasing gravity of the problems of refugees in various parts of the world,

Stressing that, among the problems posed by the plight of these populations the problem of children is especially anguishing,

/...

Bearing in mind the disturbing situation of millions of refugee and displaced children, particularly children who have not yet been settled,

Considering that many of them have lost all the members of their immediate family,

Reaffirming the pre-eminently humanitarian character of the activities of the United Nations High Commissioner for Refugees for the benefit of refugees,

1. Expresses its gratitude to the United Nations High Commissioner for Refugees for the action which he has already taken to assist refugee and displaced children, and requests him to intensify his efforts in that respect, endeavouring to ensure as far as possible that the cultural and family identity of the minors settled is preserved;

2. Requests the High Commissioner to associate in the action undertaken by all the specialized agencies of the United Nations system.

#### DRAFT RESOLUTION IV

##### Protection of human rights in Chile

The General Assembly,

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

Noting that Governments have an obligation to protect and promote human rights and to carry out responsibilities they have undertaken under various international instruments,

Recalling its resolutions 31/124 of 16 December 1976, 32/118 of 16 December 1977, 33/175 of 20 December 1978 and 34/179 of 17 December 1979 on the protection of human rights in Chile and 33/173 of 20 December 1978 on disappeared persons,

Recalling also Commission on Human Rights resolution 11 (XXXV) of 6 March 1979 on violations of human rights in Chile, in which the Commission, inter alia, decided to appoint a Special Rapporteur on the situation of human rights in Chile,

Deploing that the Chilean authorities have consistently refused to co-operate with the Special Rapporteur appointed by the Commission on Human Rights,

/...

Expressing its regret that, according to the report of the Special Rapporteur, <sup>4/</sup> there has not been improvement in the human rights situation in Chile, and that in certain respects it has, on the contrary, deteriorated,

Considering that the lack of popular participation in the preparation of the draft constitution and the existing restrictions, under the state of emergency, on the freedoms of assembly, association, expression and information, do not enable the result of the recent plebiscite to be regarded as an authentic expression of the Chilean people's will,

Noting with increasing concern that the Chilean authorities continue to ignore the repeated appeal of the international community reflected in the various resolutions of the General Assembly and other international organs and have failed to take urgent and effective measures to investigate and clarify the fate of persons who have disappeared,

Expressing deep concern that the whereabouts of the numerous persons who have disappeared are still unknown and that this has caused grief and often hardship to their relatives,

1. Commends the Special Rapporteur for his report on the situation of human rights in Chile, prepared in accordance with Commission on Human Rights resolution 21 (XXXVI) of 29 February 1980;
2. Requests the Commission on Human Rights at its thirty-seventh session to study thoroughly the report of the Special Rapporteur;
3. Expresses its grave concern at the deterioration of the human rights situation in Chile as reported by the Special Rapporteur, in comparison with the same period last year, in particular concerning the alteration of the traditional democratic legal system and its institutions and the repression of the human rights activities of the Catholic Church and of academic life;
4. Strongly urges the Chilean authorities to respect and promote human rights in accordance with their obligations under various international instruments and, in particular, to take concrete steps as outlined in Commission on Human Rights resolution 21 (XXXVI);
5. Concludes, on the basis of the report of the Special Rapporteur, that continued vigilance with regard to the human rights situation in Chile is warranted;
6. Expresses its deep concern about the lack of information on the numerous persons who have disappeared, which continues to be a gross and flagrant violation of human rights;



7. Urges once more the Chilean authorities to investigate and clarify the fate of persons who have disappeared for political reasons, to inform relatives of the outcome and to institute criminal proceedings against those responsible for such disappearances;
8. Urges the Chilean authorities scrupulously to respect the right and duty of the Chilean judiciary to employ fully and without restriction its constitutional power under habeas corpus and amparo;
9. Urges once more the Chilean authorities to co-operate with the Special Rapporteur and to submit their comments on the findings of his report to the Commission on Human Rights at its thirty-seventh session;
10. Invites the Commission on Human Rights to extend the mandate of the Special Rapporteur for another year and requests the Commission to report on the human rights situation in Chile, through the Economic and Social Council, to the General Assembly at its thirty-sixth session.

#### DRAFT RESOLUTION V

##### Protection of human rights of certain categories of prisoners

##### The General Assembly,

Recalling its resolution 32/121 of 16 December 1977, regarding the protection of the human rights of persons who are detained either in respect of offences which they committed, or are suspected of having committed, by reason of their political opinions or convictions, or as a result of their struggle against colonialism, aggression and foreign occupation for self-determination, independence, the elimination of apartheid and all forms of racial discrimination and racism, and the termination of all these violations of human rights,

Recalling also its resolution 33/169 of 20 December 1978, regarding the protection of the human rights of persons who have been arrested or detained as a result of their trade union activities,

Noting, however, that, although certain prisoners belonging to the above-mentioned categories may have been duly convicted of common-law offences, which may justify their arrest, detention or imprisonment, or may be detained pending a trial in respect of such offences, the arrest, detention or imprisonment for common-law offences cannot be justified when it is based on laws which are of a discriminatory nature or involve other serious violations of human rights, including apartheid,

Realizing that persons belonging to these categories are exposed to special dangers as regards the protection of their human rights and freedoms,

Noting that violations of their human rights and fundamental freedoms may consist in the arrest or detention itself, or in the treatment to which they are subjected,

Recalling the Universal Declaration of Human Rights 5/ and the International Covenants on Human Rights,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 6/ which states that any act of torture or other cruel, inhuman or degrading treatment or punishment is an offence to human dignity, that no State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment, and that exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment,

Recalling also the Standard Minimum Rules for the Treatment of Prisoners, 7/

Emphasizing the particular importance of protecting the right of prisoners not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, and their right to receive a fair hearing by a competent, independent and impartial tribunal in the determination of any criminal charge against them,

Aware of the fact that, despite releases of prisoners in some countries, the general situation as regards the arrest and detention of persons belonging to the above-mentioned categories remains as serious as before,

1. Recognizes that the arrest and detention, in many parts of the world, of numerous persons on the above-mentioned grounds often give rise to serious human rights problems and that effective measures should be taken to eliminate these problems;

2. Reiterates, therefore, the requests to Member States in General Assembly resolutions 32/121 and 33/169 regarding the release of such persons and ensuring that their fundamental human rights are protected during their arrest or detention.

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5/ Resolution 217 A (III).

6/ General Assembly resolution 3452 (XXX).

7/ Economic and Social Council resolutions 663 C (XXIV) and 2076 (LXII).

DRAFT RESOLUTION VI

Voluntary Fund of the United Nations for victims  
of gross and flagrant violations of human rights

The General Assembly,

Recalling its resolution 33/174 of 20 December 1978, by which it established a United Nations Trust Fund for Chile as a voluntary fund to receive contributions and distribute humanitarian, legal and financial aid to persons whose human rights have been violated in Chile,

Recalling also its resolution 34/176 of 17 December 1979,

Noting that all Governments have an obligation to respect and promote human rights, in accordance with the responsibilities they have undertaken under various international instruments,

Noting with concern that gross and flagrant violations of human rights take place in various countries,

Considering the plight of victims of gross and flagrant human rights violations where ever they take place,

1. Decides to request the Human Rights Commission to study, at its thirty-seventh session, the possibility of extending the mandate of the United Nations Trust Fund for Chile to receive voluntary contributions and further to study criteria for their distribution, through established channels of assistance, as humanitarian, legal and financial aid to persons, not covered by the mandate of other existing United Nations trust funds, whose human rights have been grossly and flagrantly violated, to those who have been forced to leave their countries as a result of gross and flagrant violations of their human rights and to relatives of persons in the above-mentioned categories, and to report thereon to the Economic and Social Council at its first regular session of 1981,

2. Requests the Economic and Social Council to submit to the General Assembly at its thirty-sixth session recommendations concerning the extension of the mandate of the existing United Nations Trust Fund for Chile to become a United Nations Trust Fund for Victims of Gross and Flagrant Violations of Human Rights.

DRAFT RESOLUTION VII

The right to education

The General Assembly,

Recalling its resolution 34/170 of 17 December 1979 on the right to education,

Recalling the International Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in its resolution 2200 (A) (XXI) of 16 December 1966, which recognizes the right of everyone to education,

Bearing in mind the importance of the Convention against Discrimination in Education, 8/ adopted on 14 December 1960 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Reaffirming the paramount importance of the implementation of the right to education for the full development of human personality and for the enjoyment of other fundamental human rights and freedoms,

Convinced that the educational process could bring a substantial contribution to social progress, national development, mutual understanding and co-operation among peoples and to strengthening peace and international security,

Recalling that the establishment of the new international economic order requires effective support for the improvement and expansion of educational systems and for the training of specialized personnel and qualified cadres for the economic development of the developing countries,

Convinced of the topicality and urgency of provisions on education contained in the International Development Strategy for the Third United Nations Development Decade, 9/

Bearing in mind the valuable work of the United Nations Educational, Scientific and Cultural Organization in the education and training of national personnel, as well as the importance of its contribution to the implementation of the International Development Strategy for the Third United Nations Development Decade,

Welcoming the recommendations adopted by the World Conference of the United Nations Decade for Women on the importance of the non-discriminatory implementation of the right to education for the improvement of the status of women in general and of the young women in particular,

Taking note with satisfaction of the interest shown by the Executive Board of the United Nations Educational, Scientific and Cultural Organization for the implementation of General Assembly resolution 34/170 on the right to education,

1. Invites all States to consider the adoption of appropriate legislative, administrative and other measures, including material guarantees, in order to

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8/ United Nations, Treaty Series, vol. 429, No. 6193, p. 93.

9/ Resolution 35/56 of 5 December 1980.

ensure the full implementation of the right to universal education through, inter alia, free and compulsory primary education, universal and gradually free-of-charge secondary education, equal access to all educational facilities and the access of the young generation to science and culture;

2. Appeals to States which have not yet done so to accelerate the procedure of ratification of the International Covenant on Economic, Social and Cultural Rights and of the Convention against Discrimination in Education and to States parties to those instruments and to other instruments in this field to put into effect systematically their provisions;

3. Invites all States to give all necessary attention to defining and determining in a more precise manner the means for implementing the provisions concerning the role of education in the International Development Strategy for the Third United Nations Development Decade;

4. Invites all specialized agencies to co-operate with the United Nations Educational, Scientific and Cultural Organization to ensure education a high priority in the implementation of various programmes and projects, in the framework of the International Development Strategy for the Third United Nations Development Decade;

5. Appeals again to all States, in particular the developed countries, to support actively through fellowships and other means, including the general increasing of resources for education and training, the efforts of the developing countries in the education and training of national personnel needed in industry, agriculture and other economic and social sectors;

6. Expresses its thanks to the Director-General of the United Nations Educational, Scientific and Cultural Organization for the report on the right to education prepared pursuant to General Assembly resolution 34/170; 10/

7. Invites the Director-General of the United Nations Educational, Scientific and Cultural Organization to include in the consultation he will be holding with Member States and specialized agencies prior to the establishment of the draft medium-term plan for 1984-1989 such points as will enable him to meet the desires expressed by the General Assembly in paragraph 3 (b) and (c) of its resolution 34/170;

8. Invites the Director-General of the United Nations Educational, Scientific and Cultural Organization, in the light of resolution 34/170, and of the experience of that organization in this field, to submit to the General Assembly at its thirty-sixth session a report on the most appropriate measures to be taken by Member States, at the national and international levels, for the effective implementation of the right to education in the application of the New International Development Strategy for the Third United Nations Development Decade.

DRAFT RESOLUTION VIII

Measures to be taken against nazi, fascist and  
neo-fascist activities and all other forms of  
totalitarian ideologies and practices based on  
racial intolerance, hatred and terror

The General Assembly,

Recalling that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the peoples expressed their resolve in the Charter of the United Nations to save future generations from the scourge of war,

Bearing in mind the suffering, destruction and death of millions of victims of aggression, foreign occupation, nazism and fascism,

Reaffirming the purposes and principles laid down in the Charter, which are aimed at maintaining international peace and security, developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and achieving international co-operation,

Emphasizing that nazism and fascism in all their manifestations may jeopardize world peace and international security, and constitute an obstacle to friendly relations between States and peoples and to the promotion and observance of human rights,

Reaffirming that the prosecution and punishment of war crimes and crimes against peace and humanity, as laid down in General Assembly resolutions 3 (I) of 13 February 1946 and 95 (I) of 11 December 1946, constitute a universal commitment for all States,

Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971 and 34/24 of 15 November 1979,

Recalling also the Declaration on Social Progress and Development, 11/ the Declaration on the Elimination of All Forms of Racial Discrimination and the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Underlining the importance of the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide, and other relevant international instruments,

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11/ Resolution 2542 (XXIV).

Bearing in mind that all totalitarian ideologies and practices based on racial intolerance, hatred and terror, including nazi, fascist and neo-fascist activities, and those based on the systematic denial of human rights and fundamental freedoms, are totally incompatible with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, and the Declaration on the Preparation of the Societies for Life in Peace,

Deeply concerned at the increase of activities at the national and international levels which propagate totalitarian forms of ideology and practices based on racial intolerance, hatred and terror, including nazi, fascist and neo-fascist activities,

1. Condemns all forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror, including nazi, fascist and neo-fascist activities, and those based on systematic denial of human rights and fundamental freedoms;
2. Urges all States to give due consideration to implementing the provisions laid down in General Assembly resolution 2839 (XXVI) in accordance with the provisions of the Universal Declaration of Human Rights, and especially to take the necessary measures against activities of groups and organizations practising nazism, fascism, neo-fascism or other ideologies based on racial intolerance, hatred and terror, in accordance with the national constitutional systems;
3. Requests all States to provide the Secretary-General with their comments on those problems and on measures that should be taken on the national and international levels to eradicate nazism, fascism, neo-fascism and related ideologies based on racial intolerance, hatred and terror;
4. Requests the Commission on Human Rights to consider this subject at its thirty-seventh session under the agenda item entitled "Question of measures to be taken against ideologies and practices based on terror or incitement to racial discrimination or any form of group hatred";
5. Requests the Secretary-General to submit, through the Economic and Social Council, to the General Assembly at its thirty-sixth session a report in the light of the discussion that would take place in the Commission on Human Rights and on the basis of comments provided by States.

DRAFT RESOLUTION IX

Situation of human rights and fundamental  
freedoms in El Salvador

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations and the Universal Declaration of Human Rights,

Conscious of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

Noting that all Governments have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

Bearing in mind resolution 19 of 30 July 1980 of the World Conference of the United Nations Decade for Women,

Dismayed by reports of human rights violations in El Salvador and especially by the death of thousands of persons and the climate of repression and insecurity prevailing in the country, which favours terrorism by paramilitary groups and enables it to be engaged in with impunity,

Deeply shocked by the vile assassination of Archbishop Oscar Arnulfo Romero, a prestigious personality, outstanding for his defence of the human rights of the Salvadorean people, and by the persecution of Salvadorean figures such as Monsignor Arturo Rivera Damas, Apostolic Administrator of the Archdiocese of San Salvador,

Gravely concerned about the unknown fate of many persons detained by the authorities,

Profoundly indignant at the assassination of Mr. Enrique Alvarez Córdova, President of the Revolutionary Democratic Front of El Salvador, as well as of five other members of the Executive Committee of that Front, perpetrated on 27 November 1980 in San Salvador,

Considering that the supply of arms and other military assistance will serve to aggravate the situation in that country,

1. Expresses its deep concern at the grave violations of human rights and fundamental freedoms in El Salvador;



2. Deplores the murders, disappearances and other violations of human rights reported in El Salvador and requests the Salvadorean authorities to take prompt action to curb the reprehensible activities of paramilitary groups;

3. Urges the Salvadorean Government to take the necessary steps to ensure full respect for human rights and fundamental freedoms in that country and to guarantee the safety of Monsignor Arturo Rivera Damas, Apostolic Administrator of the Archdiocese of San Salvador, whose life is in danger;

4. Appeals for a cessation of violence and for the establishment of full respect for human rights in El Salvador;

5. Calls upon Governments to refrain from the supply of arms and other military assistance in the current circumstances;

6. Requests the Commission on Human Rights to examine, at its thirty-seventh session, the situation of human rights in El Salvador.

#### DRAFT RESOLUTION X

##### Question of involuntary or enforced disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978, entitled "Disappeared persons",

Bearing in mind Commission on Human Rights resolution 20 (XXXVI) of 29 February 1980, Economic and Social Council resolution 1979/38 of 2 May 1980 and resolution 23 of the World Conference of the United Nations Decade for Women,

Convinced of the need to take appropriate action, in consultation with the Governments concerned, to promote the implementation of the provisions of General Assembly resolution 33/173 and other United Nations resolutions relevant to the plight of missing and disappeared persons,

Expressing again its emotion at the anguish and sorrow of the relatives of victims of involuntary or enforced disappearances,

1. Welcomes the establishment by the Commission on Human Rights of the working group which has been asked to examine questions relevant to enforced or involuntary disappearances of persons and to submit to the Commission at its thirty-seventh session a report on its activities, together with its conclusions and recommendations;

2. Requests 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 its work on the question of involuntary or enforced disappearances when it considers the report to be submitted to it by the working group at its thirty-seventh session;
3. Appeals to all Governments to co-operate with the working group and the Commission on Human Rights and to enable them to perform their task effectively and in a humanitarian spirit;
4. Requests the Secretary-General to draw the concerns expressed in the present resolution to the attention of all Governments, regional and interregional organizations and specialized agencies.

DRAFT RESOLUTION XI

Question of the redesignation of the Division of Human Rights  
as a Centre for Human Rights

The General Assembly,

Recalling its resolution 34/47 of 23 November 1979,

Recalling Commission on Human Rights resolution 22 (XXXVI) of 28 February 1980,

Recalling also Economic and Social Council decision 1980/132 of 2 May 1980,

Having considered the report of the Secretary-General, 12/

Noting that in his annual report on the work of the Organization, submitted to the General Assembly at its thirty-fourth session, the Secretary-General stated that he was "prepared to consider all useful suggestions for strengthening the contribution of the Secretariat in a field which is of fundamental importance to the future development of our society", 13/

Also noting that the Secretary-General states in his report that "while the Division of Human Rights meets the technical criteria for a Centre, as set forth in his report on organizational nomenclature in the Secretariat, 14/ he believes that further consideration of the matter is required".

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12/ A/35/607.

13/ See Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 1 (A/34/1), sect. VII.

14/ A/C.5/32/17.

1. Expresses its appreciation to the Secretary-General for the serious consideration given to the question of the redesignation of the Division of Human Rights as a Centre for Human Rights.
2. Requests the Secretary-General to keep this question under consideration with the view to redesignating the Division of Human Rights as a Centre for Human Rights when he deems it appropriate, taking into account the views expressed by Member States at the thirty-fifth session.

## DRAFT RESOLUTION XII

### International co-operation in drug abuse control

#### The General Assembly.

Recalling once more the resolutions on the problem of drug abuse control adopted in recent years by the General Assembly, the Economic and Social Council, the Commission on Narcotic Drugs, the World Health Organization and other relevant organizations,

Recalling in particular General Assembly resolution 34/177 of 17 December 1979, in which the Assembly pointed out the importance of international co-operation in drug abuse control,

Recognizing the growing threat caused by the spread of drug abuse, its serious impact on human health, its adverse effects on social development (social disintegration, increasing criminality), economic advancement and national security in a number of countries,

Aware that illicit traffic in drugs and the profits accruing therefrom to traffickers and criminal organizations pose a threat to the socio-economic well-being of many countries,

Referring to the relevant provisions of the Single Convention on Narcotic Drugs of 1961, the Protocol of 1972 amending the Single Convention on Narcotic Drugs of 1961 and of the Convention on Psychotropic Substances of 1971, which form the basis of all international drug abuse control efforts,

Noting with satisfaction the positive results that have been attained in a number of countries in the fight against drug abuse and in the control of drug trafficking,

Concerned that none the less many of the objectives of drug abuse control, set out in international conventions on narcotic drugs and in the resolutions and documents of the Commission on Narcotic Drugs and other international bodies concerned with this question, have not yet been achieved,

Realizing the necessity of further concerted efforts by the international community, particularly by the United Nations, in addition to national measures, to resolve the problem of drug abuse, in particular by the reduction of the illicit supply, demand and traffic,

Conscious of the need for a five-year, continuously updated international programme of action in drug abuse control, as called for in General Assembly resolution 32/124 of 16 December 1977 and Commission on Narcotic Drugs resolutions 8 (XXVIII) of 23 February 1979 and 5 (S-VI) of 20 February 1980, which should be supplemented by a long-term strategy (long-term programme),

Noting the report on narcotic drugs, 15/

1. Takes note of the resolutions and decisions adopted by the Economic and Social Council in its first regular session of 1980 on the subject of narcotic drugs, elaborated on the basis of the report of the Commission on Narcotic Drugs on its sixth special session, and urges all agencies and organizations concerned with the implementation of the resolutions referred to in the preamble and all States and organizations whose assistance has been requested to take the necessary measures so that the contemplated programme for practical and dynamic drug abuse control can be completed and implemented at the earliest possible date;

2. Repeats its appeal to all States which have not yet become parties to the Single Convention on Narcotic Drugs of 1961, the Protocol of 1972, amending the Single Convention on Narcotic Drugs of 1961, and to the Convention on Psychotropic Substances of 1971, to take the necessary steps to accede to these conventions and thus ensure their universal application;

3. Invites all Governments to collaborate closely with the International Narcotics Control Board, the Division of Narcotic Drugs and the other concerned bodies in the United Nations system, particularly by supplying them with the necessary information so that they may fulfil their tasks both pursuant to the provisions of the narcotics conventions and in accordance with their purposes;

4. Urges all States to take suitable steps to implement Economic and Social Council resolutions 1979/8 of 9 May 1979 and 1980/20 of 30 April 1980 with a view to achieving and maintaining lasting balance between demand and supply of opiates and to avoid the possibility of diversion of licit production to illicit channels;

5. Invites States concerned to take appropriate measures to discourage the powerful economic interests which are propagating a false and deceitful image of drug use with the aim to increase the number of drug-abusers and to legalize the abuse;

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15/ A/35/3/Add.23, to be subsequently incorporated in Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 3 (A/35/3/Rev.1)

/...

6. Underlines its appeal to all Governments to increase their financial support for the United Nations Fund for Drug Abuse Control, so that it may forward the enhancement of measures for the reduction of the illicit supply, traffic and demand for narcotic drugs, and calls particularly upon States which require assistance in crop-substitution or law enforcement programmes to present suitable projects to the Fund and other international funding bodies or projects for bilateral development assistance;
7. Underscores the need of producing countries to receive greater assistance from interested Governments and concerned international organizations to facilitate drug abuse control, including crop-substitution policies or law enforcement programmes;
8. Calls upon all States to co-operate in a suitable fashion to prevent the uncontrolled or illicit cultivation, production, export, import, transit and consumption of narcotic drugs or psychotropic substances, and to take suitable measures to prevent the misuse of chemical substances for the production of drugs;
9. Calls upon the Commission on Narcotic Drugs to present, at the next regular session of the Commission, the completed international programme for drug abuse control so that such a comprehensive, co-ordinated global strategy can be translated at the earliest possible date into actions seeking to interdict narcotics trafficking, eradicate the illicit production and demand, educate citizens throughout the world regarding the dangers of drugs and treat and rehabilitate those individuals who have become dependent upon or addicted to drugs;
10. Calls upon the Economic and Social Council to give once more particular attention to these questions at its next regular session;
11. Calls upon the Secretary-General to transmit the present resolution to all Governments.

#### DRAFT RESOLUTION XIII

##### Mass exoduses

##### The General Assembly,

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

Disturbed by the scale and magnitude of the exoduses and displacements of populations involving hundreds of thousands of men, women and children in many regions of the world,

Noting the immense burden imposed on the first host countries and territories which receive the victims of these sudden and massive movements of population,

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Bearing in mind the resolutions of the Economic and Social Council concerning international efforts to meet humanitarian needs in emergency situations,

Recalling Commission on Human Rights resolution 30 (XXXVI) of 11 March 1980, concerning human rights and massive exoduses,

1. Expresses deep concern at the continued incidences of large-scale exoduses and displacements of populations and the resulting hardships and problems for the persons and States concerned;
2. Expresses determination to facilitate solutions to the problems caused by these large-scale movements of population;
3. Endorses the request of the Commission on Human Rights in its resolution 30 (XXXVI);
4. Requests the Commission on Human Rights to examine the report of the Secretary-General to be submitted to it at its next session and, on the basis of that report, to make recommendations for further action;
5. Decides, in light of the consideration given it by the Commission on Human Rights, to consider this question at its thirty-sixth session under the item entitled "Report of the Economic and Social Council".

#### DRAFT RESOLUTION XIV

##### Regional, national and local arrangements for the promotion and protection of human rights

##### The General Assembly.

Recalling its resolution 34/171 of 17 December 1979, in which it reiterated its appeal to States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional arrangements for the promotion and protection of human rights,

Recalling also its resolution 34/49 of 23 November 1979 on national institutions for the promotion and protection of human rights,

1. Notes with satisfaction the efforts currently under way within the Organization of African Unity to elaborate an African Charter of Human Rights and to establish an African Commission on Human Rights, and requests the Secretary-General to maintain close co-operation with the Secretary-General of the Organization of African Unity on this matter and to keep the General Assembly and the Commission on Human Rights informed as he deems it appropriate;

2. Welcomes with appreciation the offer made by the Government of Sri Lanka to host a seminar of member States of the Asian region to consider appropriate arrangements for the promotion and protection of human rights in the region;

3. Requests the Secretary-General to make the necessary arrangements, following finalization of the consultations with member States of the Asian region, with a view to holding the above-mentioned seminar at Colombo in 1981 and to inform the General Assembly at its thirty-sixth session of the deliberations of the seminar.

#### DRAFT RESOLUTION XV

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

The General Assembly,

Affirming the need to establish international co-operation by resolving international problems of an economic, social, intellectual or humanitarian nature and by developing and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

Recalling in this connexion the provisions of the Universal Declaration of Human Rights, of the International Convention on the Elimination of All Forms of Racial Discrimination and of the International Covenants on Human Rights,

Convinced of the contribution made by migrant workers to the economic growth and social and cultural development of the host countries,

Bearing in mind the international instruments elaborated for the protection of migrant workers by the specialized agencies and especially by the International Labour Organisation,

Taking account of the Migrant Workers (Supplementary Provisions) Convention, 1975, 16/ and the Recommendation concerning Migrant Workers, 1975, 17/ adopted by the General Conference of the International Labour Organisation,

Conscious, however, of the need for further efforts to ensure the protection of the rights and the improvement of the living conditions of all migrant workers and their families,

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16/ International Labour Office, Official Bulletin, vol. LVIII, 1975, series A, No. 1, Convention No. 143.

17/ Ibid., No. 1 Recommendation No. 151.

Concerned by the fact that the problem of migrant workers is becoming more serious in certain regions, owing to current political and economic circumstances and for social and cultural reasons,

Recognizing the need for the Governments of host countries and of countries of origin to co-operate with a view to finding solutions conducive to improving the situation and ensuring the rights of all migrant workers and their families,

Reaffirming that the family is the natural and fundamental unit of society and is entitled to protection by society and the State and that, in that context, the families of migrant workers are entitled to the same protection as the migrant workers themselves,

Recalling its resolution 34/172 of 17 December 1979, in which it decided to create, at its thirty-fifth session, 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,

Noting with satisfaction that the Working Group has been able to commence its work during the thirty-fifth session in accordance with its terms of reference,

Noting in particular that it is important that the Working Group should make substantial progress before the thirty-sixth session of the General Assembly, in order to facilitate the accomplishment of its task,

1. Welcomes the fact that at the current session the Working Group has begun its work with a view to the elaboration of a draft convention on the protection of the rights of all migrant workers and their families;
2. Takes note with satisfaction of the report of the Chairman of the Working Group 18/ as well as the documents annexed to it;
3. Decides that the Working Group shall hold an intersessional meeting of two weeks' duration in New York in May 1981, immediately after the first regular session of the Economic and Social Council, to enable it to continue its work in order to discharge its mandate to the best of its ability during the thirty-sixth session of the General Assembly,
4. Invites the Secretary-General to communicate to Governments the report of the Chairman of the Working Group and the documents annexed to it in order to enable the members of the Working Group, in the light of instructions from their respective Governments, to undertake during the second phase of its activities, at the forthcoming intersessional meeting, the preparation of a preliminary draft convention for consideration by the General Assembly at its thirty-sixth session;



5. Also invites the Secretary-General to communicate, for information purposes, the above-mentioned documents to the competent organs of the United Nations system and to the interested international organizations, in order to enable them to participate in the work of the working group and to co-operate in the preparation of the draft convention;

6. Further invites the Secretary-General to communicate to Governments, to the competent organs of the United Nations system and to the interested international organizations the report and the preliminary draft convention to be drawn up by the Working Group at its forthcoming intersessional meeting, in order to ensure effective preparation of the work of the thirty-sixth session of the General Assembly on the elaboration of a draft convention on the protection of the rights of all migrant workers and their families;

7. Decides that the Working Group shall meet during the thirty-sixth session of the General Assembly in order to continue its work on the elaboration of an international convention on the protection of the rights of all migrant workers and their families.

#### DRAFT RESOLUTION XVI

##### Question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live

The General Assembly,

Bearing in mind Economic and Social Council resolutions 1790 (LIV) of 18 May 1973 and 1871 (LVI) of 17 May 1974 concerning the question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live,

Noting Commission on Human Rights resolutions 8 (XXIX), 11 (XXX), 16 (XXXV) of 14 March 1979 and 19 (XXXVI) of 29 February 1980, on the same subject,

Noting also resolution 9 (XXXI) of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities,

Recalling that the Economic and Social Council, by its resolution 1980/29 of 2 May 1980, decided to transmit to the General Assembly at its thirty-fifth session the text of the draft declaration on the human rights of individuals who are not citizens of the country in which they live, prepared by the Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, the Baroness Elles, and amended by the Sub-Commission, 19/

together with the comments on the text received from Member States in response to decision 1979/36 of the Council 20/ and recommended that the General Assembly should consider the adoption of a declaration on the subject,

1. Takes note that the open-ended working group, which has been entrusted with the task of elaborating a final version of the draft declaration on the human rights of individuals who are not citizens of the country in which they live, has done useful work but has not had sufficient time to conclude its task;
  2. Decides to establish, at its thirty-sixth session, an open-ended working group for the purpose of concluding the elaboration of the draft declaration on the human rights of individuals who are not citizens of the country in which they live;
  3. Expresses the hope that a draft declaration on the human rights of individuals who are not citizens of the country in which they live will be adopted by the General Assembly at its thirty-sixth session.
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20/ E/CN.4/1354 and Add.1-6.