



COMMISSION ON HUMAN RIGHTS

REPORT ON THE THIRTY-FIRST SESSION

(3 February-7 March 1975)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS: FIFTY-EIGHTH SESSION

SUPPLEMENT No. 4

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ABBREVIATIONS

ILO	International Labour Organisation
CAU	Organization of African Unity
UNESCO	United Nations Educational, Scientific and Cultural Organization

I. ISSUES THAT REQUIRE ACTION BY OR ARE BROUGHT TO
THE ATTENTION OF THE ECONOMIC AND SOCIAL COUNCIL

A. Draft resolutions

I. Report of the Ad Hoc Working Group of Experts^{1/}

The Economic and Social Council,

Taking note of Commission on Human Rights resolution 5 (XXXI),

1. Approves the decision taken by the Commission to extend the mandate of the Ad Hoc Working Group of Experts as proposed in the aforementioned resolution of the Commission and within the terms of that resolution;
2. Endorses the view that the policy of apartheid and racial discrimination of the Government of South Africa is a flagrant violation of the principles of the Charter of the United Nations and constitutes a serious violation of the obligations flowing from the status of a Member of the United Nations;
3. Requests the Secretary-General to give full publicity to the report of the Ad Hoc Working Group of Experts (E/CN.4/1159) and to extend to the Group all the necessary assistance to enable it to fulfil its mandate.

II. Study of situations which reveal a consistent pattern of gross violations of human rights: written and oral statements by non-governmental organizations in consultative status concerning human rights ^{2/}

The Economic and Social Council,

Considering that in its resolution 454 (XIV) it decided that all complaints or allegations emanating from non-governmental organizations in consultative status which relate to human rights should be dealt with not under the rules of consultative relationship but under the decisions concerning the inclusion of such material in confidential lists of communications prepared for the Commission on Human Rights, which are set out in paragraph 2 (b) of resolution 728 F (XXVIII),

Considering further that it has clearly laid down its decision in paragraph 8 of resolution 1503 (XLVIII) that all actions envisaged in the implementation of that resolution by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights shall remain confidential until such time as the Commission may decide to make recommendations to the Council,

Having been made aware by the Commission on Human Rights that some non-governmental organizations have occasionally failed to observe the requirements of confidentiality under paragraph 8 of resolution 1503 (XLVIII), and having been made aware further that the oral interventions of some non-governmental organizations on matters affecting Member States have often shown disregard for proper discretion,

^{1/} See chap.XXIII, sect.A, resolution 5 (XXXI), and chap.VIII, paras.83-90. See also annex IV, paras.4-6.

^{2/} See chap.XXIII, sect.A, resolution 7 (XXXI), and chap.VIII, para.69.

1. Decides that in future non-governmental organizations in consultative status must comply without exception with Council resolution 454 (XIV) as regards submissions both in written and oral form in so far as they relate to allegations or complaints on human rights, and also observe strictly the provisions of paragraph 8 of Council resolution 1503 (XLVIII);
2. Decides that any non-governmental organization failing to show proper discretion in an oral or written statement may render itself subject to suspension of its consultative status under paragraph 36 of Council resolution 1296 (XLIV);
3. Reminds the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the conditions of admissibility of communications approved in its resolution 1 (XXIV) and requests it to apply these criteria strictly;
4. Decides that the Committee on Non-Governmental Organizations should continue to examine carefully the activities of the non-governmental organizations, bearing in mind the provisions of the present resolution.

III. Representation of the Commission on Human Rights at the
World Conference of the International Women's Year 3/

The Economic and Social Council,

Noting Commission on Human Rights resolution 9 (XXXI),

Considering the close co-operation that exists between the Commission on Human Rights and the Commission on the Status of Women and that in all its work the Commission on Human Rights has constantly borne in mind the enjoyment of equal rights by men and women,

Knowing that there are restraints on the enjoyment of human rights by women in many parts of the world,

Believing that the World Conference to be held in connexion with the International Women's Year will focus world attention on these restraints and that in its deliberations and conclusions the Conference will suggest positive measures not only to remove such restraints but to further enhance the enjoyment of human rights by all,

Recognizing the importance of the Commission on Human Rights being in close touch with these deliberations and conclusions,

Designates Mrs. Rajan Nehru to attend, on behalf of the Commission on Human Rights, the World Conference to be held in connexion with the International Women's Year.

3/ See chap. XXIII, sect. A, resolution 9 (XXXI), and chap. X, paras. 124 and 125. See also annex IV, paras. 11 and 12.

IV. Report of the Commission on Human Rights
on its thirty-first session

The Economic and Social Council

Takes note of the report of the Commission on Human Rights on its thirty-first session.

B. Draft decisions

1. Report of the Ad Hoc Working Group of Experts^{4/}

The Economic and Social Council endorses the recommendations made by the Commission on Human Rights in paragraphs 16, 17 and 18 of its resolution 5 (XXXI) and consequently:

(a) Requests the Secretary-General to appeal to the United Nations Commissioner for Namibia to establish appropriate collaboration with the Ad Hoc Working Group of Experts;

(b) Requests the General Assembly to make arrangements for adequate and sufficient financial resources and staff to be provided to the Ad Hoc Working Group of Experts in order to enable it to carry out its mandate;

(c) Requests the Secretary-General to give wide publicity to the report of the Ad Hoc Working Group of Experts (E/CN.4/1159).

2. Study of situations which reveal a consistent pattern
of gross violations of human rights

(a) The Economic and Social Council requests the Secretary-General to furnish the monthly list of communications forwarded to members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities under paragraph 4 (a) of Council resolution 1503 (XLVIII) also to the members of the Commission on Human Rights every month. ^{5/}

(b) The Economic and Social Council approves the decision of the Commission on Human Rights to set up a working group to examine situations referred to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to meet a week before the thirty-second session of the Commission. ^{6/}

^{4/} See chap.XXIII, sect.A, resolution 5 (XXXI), and chap.VIII, paras.83-90. See also annex IV, paras.4-6.

^{5/} See chap.XXIII, sect.B, decision 7 (XXXI), para.(b), and chap.VIII, para.71.

^{6/} See chap.XXIII, sect.B, decision 7 (XXXI), para.(c), and chap.VIII, paras.71-73.

3. Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment 7/

The Economic and Social Council approves the decision of the Commission on Human Rights in its resolution 8 (XXXI) to set up an Ad Hoc Working Group to inquire into the present situation of human rights in Chile within the terms of that resolution.

4. Draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief 8/

The Economic and Social Council wishes to inform the General Assembly that, although the Commission on Human Rights has made some progress, it has not yet completed its work on the draft Declaration and that it intends to accord priority to the drafting of that Declaration at its thirty-second session.

5. Place of meeting of the thirty-second session of the Commission on Human Rights 9/

The Economic and Social Council decides to take into account, when determining the calendar of conferences for 1976, the recommendation of the Commission on Human Rights that it hold its thirty-second session at the United Nations Office at Geneva.

C. Other matters

The Commission draws the attention of the Economic and Social Council to its decision 14 (XXXI) relating to the draft provisional agenda of the thirty-second session of the Commission and to chapter XX, paragraph 201, where the draft provisional agenda, prepared in accordance with Council resolution 1894 (LVII), is set out.

The Commission also draws the attention of the Council to the resolutions and other decisions it adopted at its thirty-first session, which are contained in chapter XXIII below, and to paragraphs 90, 111 and 73 below, which relate to the composition of the working groups established under resolutions 5 (XXXI) and 8 (XXXI) and decision 7 (XXXI), respectively.

7/ See chap.XXIII, sect.A, resolution 8 (XXXI), and chap.IX, paras.105-111. See also annex IV, paras.7-10.

8/ See chap.XXIII, sect.B, decision 11 (XXXI), and chap.XIV, paras.175 and 176.

9/ See chap.XXI, para.203.

II. REPORT OF THE SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS
TWENTY-SEVENTH SESSION

1. The Commission considered agenda item 14, in conjunction with items 13 and 15, at its 1294th to 1297th meetings, from 5 to 7 February 1975.
2. The Commission had before it the report of the Sub-Commission on its twenty-seventh session, held in New York from 5 to 23 August 1974 (E/CN.4/1160), which contained 11 resolutions and one decision (chapter XIX) as well as a text agreed upon by the members concerning the Sub-Commission's methods of work (chapter II).
3. Commenting on the report as a whole, all speakers expressed their appreciation of the work of the Sub-Commission. The last session of the Sub-Commission had once more proved the importance and the efficiency of that body. Since the report dealt mostly with studies undertaken by the Sub-Commission, speakers addressed their remarks particularly to questions relating to the preparation of those studies.
4. The importance of the various studies was stressed. At the same time, concern was expressed regarding the number of studies that were currently being prepared by the Sub-Commission. It was maintained that nine studies were too heavy a burden, not only for the Sub-Commission and the United Nations Secretariat assisting in their preparation but for the Commission itself, since it would be difficult for it to examine thoroughly the many studies that were expected to be submitted in the near future. Some speakers expressed the view that, in order to enable the Sub-Commission to deal effectively with the studies that had already been requested, the Commission should examine carefully any request for new studies. The rapporteurs should try to shorten the period of preparation of their studies and to make them as concise as was consistent with the object of the study. It was maintained by some representatives that the Sub-Commission's new practice of appointing rapporteurs instead of special rapporteurs and supplying them with only limited assistance from the United Nations Secretariat should be commended and that shorter periods should be set for the completion of the final versions of the reports.
5. Commenting on the study of the exploitation of labour through illicit and clandestine trafficking, speakers stressed its importance in connexion with the status of migrant workers and expressed the view that close co-operation between the Sub-Commission and the specialized agencies, particularly the ILO, was desirable. Some speakers described the action taken by their Governments to solve problems arising from the presence of migrant workers in their countries. Illicit and clandestine trafficking could put migrant workers in a position which was sometimes indistinguishable from slavery and slavery-like practices.
6. As regards the study of the rights of persons belonging to ethnic, religious and linguistic minorities, a number of speakers expressed the view that the matter of a proper definition of such minorities should be scrutinized once more by the Special Rapporteur, since such factors as the numerical size of a particular ethnic, religious or linguistic group might be invoked by a Government for depriving that group of the rights provided for in article 27 of the International Covenant on Civil and Political Rights. The official recognition of a particular minority as such was said to be one of the requirements for the enjoyment of the rights proclaimed by the above-mentioned Covenant. At the same time, serious

attention should be paid to the actual situation of particular groups, because in many instances it was administrative arbitrariness that caused problems for minorities. The view was expressed that article 27 should be read in conjunction with the provisions of the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations forbidding interference in the domestic affairs of States and calling for genuine international co-operation in the field of the protection of human rights. The view was expressed that, while détente could favour respect for the human rights of minorities, the protection of minorities was also in itself an element of détente.

7. Many speakers expressed their satisfaction with the measures undertaken by the Sub-Commission to handle the question of the human rights of persons subjected to any form of detention or imprisonment (resolution 7 (XXVII)), in particular regarding the situation in Chile (resolution 8 (XXVII)). Several speakers welcomed the decision of the Sub-Commission to review annually developments with respect to inhuman or degrading treatment or torture.

8. At its 1296th meeting, on 6 February 1975, the Commission took note of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. At its 1297th meeting, on 7 February 1975, the Commission expressed its appreciation to the outgoing members of the Sub-Commission.

9. For the text of the decisions, see chapter XXIII, section B, decisions 5 (XXXI) and 6 (XXXI).

III. QUESTION OF INTERNATIONAL LEGAL PROTECTION OF THE
HUMAN RIGHTS OF INDIVIDUALS WHO ARE NOT CITIZENS
OF THE COUNTRY IN WHICH THEY LIVE

10. The Commission considered agenda item 13 at its 1294th to 1296th meetings, held on 5 and 6 February 1975, in conjunction with agenda items 14 and 15.

11. On the recommendation of the Commission on Human Rights, at its thirtieth session, the Economic and Social Council, in resolution 1871 (LVI) of 17 May 1974, requested the Sub-Commission to consider as a matter of high priority at its twenty-seventh session the implementation of paragraph 1 of Council resolution 1790 (LIV) and to submit appropriate recommendations to the Commission on Human Rights at its thirty-first session. The Council also decided to consider the item at its fifty-eighth session in 1975. At its twenty-seventh session, in 1974, the Sub-Commission adopted resolution 10 (XXVII) by which it entrusted Baroness Elles, of the United Kingdom, with the task of preparing a report on the subject and decided to give further consideration to the question at its twenty-eighth session.

12. In the course of the consideration of this item in the Commission, the opinion was expressed that in view of the growing number of persons who had, often for economic reasons, to live in a country other than their own, the situation in many cases required urgent decisions, since, among other things, the presence of a large number of foreign workers in developed countries might give rise to manifestations of racism or racial discrimination. It was said that the principles of equality embodied in international instruments and national constitutions should be applied as far as possible but that a distinction had to be drawn between rights that were recognized as belonging to everyone and rights connected with a nationality, which carried national rights and obligations. Equality under labour laws and with respect to social rights was of special importance.

13. It was said that the Sub-Commission was performing a useful task, and approval was expressed of its resolution 10 (XXVII) on this matter.

14. At its 1296th meeting, on 6 February 1975, the Commission decided without a vote to defer consideration of the item to its thirty-second session, when it would be in a position to examine the study undertaken by the Sub-Commission.

15. For the text of the decision, see chapter XXIII, section B, decision 4 (XXXI).

IV. STUDY OF DISCRIMINATION AGAINST PERSONS BORN OUT OF WEDLOCK,
AND THE DRAFT GENERAL PRINCIPLES ON EQUALITY AND NON-
DISCRIMINATION IN RESPECT OF SUCH PERSONS

16. The Commission considered agenda item 15, in conjunction with items 13 and 14, at its 1294th to 1297th meetings, from 5 to 7 February 1975.

17. In its resolution 1787 (LIV), the Economic and Social Council requested the Secretary-General to transmit to Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status, for their comments and observations, the draft general principles on equality and non-discrimination in respect of persons born out of wedlock drawn up by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its nineteenth session in 1967. The Council requested the Commission to consider the matter again at its thirty-first session. It also invited the Commission for Social Development and the Commission on the Status of Women to consider, as appropriate, the Study of Discrimination against Persons Born out of Wedlock 10/ prepared by Mr. Voitto Saario, Special Rapporteur of the Sub-Commission, and the draft general principles relating thereto, in the light of the comments received by the Secretary-General.

18. The Commission had before it a note by the Secretary-General (E/CN.4/1157 and Add.1) reproducing the text of the draft general principles and setting out the replies received in response to resolution 1787 (LIV). It was also informed (E/CN.4/1170/Add.1, E/CN.4/L.1290) that the Commission on the Status of Women and the Commission for Social Development had taken no further formal action on the question since the adoption of resolution 1787 (LIV).

19. In the course of the Commission's discussion several representatives referred to the legislative measures taken in their countries to protect the rights of children born out of wedlock. Attention was drawn to the differing notions of "legitimacy" - for instance, the concept of the "natural child" did not exist in Moslem law - and to the inadmissibility, in the socio-economic context of modern society, of disapproving on moral grounds of children born out of wedlock and of discriminating against them. It was suggested that the question of unmarried mothers should be further studied.

20. The view was expressed that the draft general principles offered satisfactory standards for the legislators and administrators of the various countries and that the Commission might adopt an approach similar to that used in the case of the draft principles relating to equality in the administration of justice: call upon Member States to give due consideration to the principles in formulating legislation and in taking other measures affecting persons born out of wedlock. Another view was that, instead of proclaiming general principles, it would be better to produce an international declaration or a convention making it mandatory for Governments to protect children born out of wedlock. A number of representatives expressed the opinion that the principles were in need of additional refinement and should be referred back to the Sub-Commission for that purpose. The Sub-Commission should study the principles further in the light of the comments made by the United Nations bodies, the specialized agencies and

10/ United Nations publication, Sales No. E.68.XIV.3.

non-governmental organizations and of the summary records of the Commission's discussions and should submit the results of its work to the Commission at its thirty-second session in such form (recommendations, declarations, etc.) as it considered appropriate.

21. It was suggested that the title of the draft principles should be revised to read either "Principles on non-discrimination in respect of persons born out of wedlock" or "General principles on the equality of children and non-discrimination in respect of children born out of wedlock". The existing title might appear to exclude, for instance, children born out of adulterous relationships and abandoned children. Several representatives were of the opinion that it would be appropriate to include in the preamble a reference to the Declaration of the Rights of the Child adopted by the General Assembly in 1959 and to Economic and Social Council resolution 1679 (LIII) relating to general principles for achieving the elimination of discrimination against the unmarried mother, adopted on the recommendation of the Commission on the Status of Women.

22. It was noted that the phrase "illegitimate child" and similar expressions that might be considered injurious appeared in the replies of a number of countries, and it was proposed that a provision prohibiting the use of any personal qualification regarding the nature of filiation should be included in part I of the principles.

23. Several representatives regarded the phrase in paragraph 1 "insofar as compatible with the principle of protection of the family" as representing an outdated concept, which served to preserve the traditional discriminatory distinction between children born in and out of wedlock.

24. In relation to paragraph 3, there was a difference of opinion as to whether the right to engage in judicial proceedings to establish paternal filiation should be transmissible to the descendants of persons born out of wedlock and as to whether such proceedings should cease upon the death of the father.

25. In connexion with paragraph 8, attention was drawn to principle 3 of the Declaration of the Rights of the Child, which stated that a child was entitled from his birth to a name and a nationality.

26. The view was expressed that paragraph 12 went too far in providing that every person born out of wedlock should, once his filiation has been established, have the same inheritance rights as persons born in wedlock; the inheritance rights of children born out of wedlock should, perhaps, be made subject to certain conditions.

27. A draft resolution on the item (E/CN.4/L.1291) was submitted by Ghana, Senegal, Sierra Leone and the United Republic of Tanzania.

28. At its 1297th meeting, on 7 February 1975, the Commission adopted the draft resolution without a vote.

29. For the text of the resolution, see chapter XXIII, section A, resolution 1 (XXXI).

V. QUESTION OF THE REALIZATION OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS RELATING TO HUMAN RIGHTS IN DEVELOPING COUNTRIES

30. The Commission considered agenda item 8 at its 1297th to 1299th meetings, from 6 to 10 February 1975.

31. Noting the importance of the question of the realization of economic, social and cultural rights, several representatives requested the inclusion of this item in the Commission's agenda each year as one of the basic topics with which the Commission should be concerned. They felt that the Commission should devote more of its attention to matters that affected the everyday life of two thirds of mankind and that it had a specific role to play within the United Nations system in order to contribute to the realization of economic, social and cultural rights, while fully respecting the spheres of competence of other organs dealing with the technical aspects of the problem. Attention was drawn to the recommendations made by the Special Rapporteur of the Commission on the question, in particular to recommendations 17 and 18, contained in paragraph 169 of document E/CN.4/1131, submitted to the Commission at its thirtieth session. It was also stated that ratification of the International Covenant on Economic, Social and Cultural Rights by the largest possible number of States would facilitate the realization of those rights.

32. Some speakers felt that in the developing countries the full enjoyment of those rights depended on economic growth and the elimination of wide disparities in income among the different social groups of the population. Another view was that the realization of human rights should not be approached solely from the socio-economic standpoint. Action was urgently required in all areas, including the political and civil rights areas, because all aspects of the quality of life were interrelated. Elimination of discrimination in all its forms, in employment, education and other spheres, was a pre-condition for securing the participation in private and public life of large sections of the population, including women and ethnic, religious and linguistic minorities.

33. All speakers expressed deep concern about the conditions of dire poverty in which millions of human beings continued to live. The most pressing objective within the context of human rights was said to be the attack on mass poverty and the promotion of social justice. While it was generally accepted that each State was primarily responsible for its own development, it was also emphasized that the developing countries were facing a number of obstacles, mainly the lack of resources, skilled labour and advanced technology, which could not be overcome without international co-operation.

34. It was felt that, in accordance with the principles of the Charter of the United Nations, the international community, in particular the economically developed countries, had a moral duty to extend all possible co-operation to less developed nations, while fully respecting their independence. The opinion was expressed that the less developed countries were still economically dominated by colonialist or neo-colonialist interests and that the present international economic and financial system, which was unfair to them, should be reformed. As regards the transfer of technology, it was said that the objective should be to develop

indigenous technology, suited to the local level of development, rather than to introduce advanced techniques and sophisticated machinery at inflated prices.

35. At the 1299th meeting, the representative of Senegal introduced a draft resolution (E/CN.4/L.1292/Rev.1) sponsored by Egypt, Ghana, India, Iran, Senegal, Sierra Leone, Tunisia, Turkey and Yugoslavia, and subsequently also by the United Republic of Tanzania, which was revised orally by the sponsors. The Commission adopted the draft resolution, as orally revised, without a vote.

36. For the text of the resolution see chapter XXIII, section A, resolution 2 (XXXI).

VI. QUESTION OF THE REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION ON THE BASIS OF THE CHARTER OF THE UNITED NATIONS AND OTHER INSTRUMENTS ADOPTED BY UNITED NATIONS ORGANS, TAKING INTO ACCOUNT IN PARTICULAR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

37. The Commission considered agenda item 9 at its 1298th to 1300th meetings, from 7 to 11 February 1975.

38. Most speakers pointed out that the universal realization of the right of peoples to self-determination formed the basis for durable peace and security throughout the world and was a fundamental prerequisite for the full enjoyment of all other human rights, both in the civil and political and in the economic, social and cultural fields.

39. Several representatives mentioned in that connexion the relevant provisions of the Charter (Article 1, paragraph 2, and Article 55), article 1 of the International Covenants on Human Rights and other United Nations instruments and resolutions relating to various aspects of the right to self-determination and the principle of non-interference in the domestic affairs of States and their implementation, including the exercise by States of permanent sovereignty over their natural resources.

40. Many representatives referred to the developments taking place in southern Africa in relation to the struggle against colonialism. The decision of Portugal to withdraw from the African territories formerly under its administration was welcomed. The hope was expressed that in Southern Rhodesia and in Namibia alien domination and racist policies would not much longer resist the irreversible trend towards total abolition of colonialism and that the liberation of those areas would be achieved by peaceful means. The view was expressed, however, that, if a peaceful solution of all the problems of southern Africa was not achieved, the use of force would be justified. The right of the Palestinian people to self-determination was also mentioned by several representatives.

41. The paramount importance of implementing the existing decisions and pronouncements of the United Nations on self-determination was stressed. The opinion was expressed that the urgent task confronting the Commission was not so much to produce further declarations of principles or to compile new documents and studies but rather to ensure that the existing rules and principles were observed and implemented.

42. Attention was drawn to the economic dimensions of the right to self-determination and to the need to examine, to a greater extent, the question of the exercise by States of permanent sovereignty over their natural resources.

43. It was suggested that the studies relating to the right to self-determination which were being undertaken by the Special Rapporteurs recently appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities should examine major conceptual problems and draw up guidelines for applying the principle of self-determination to particular situations. They should also deal with such questions as the interpretation to be given to the words "peoples" and "nations", the relationship between self-determination and the exercise of economic independence, and the problem of safeguarding the rights of minorities in territories where self-determination was applied.

44. At the 1300th meeting, the representative of Senegal introduced a draft resolution (E/CN.4/L.1293) sponsored by Austria, Ghana, India, Iran, Senegal, Sierra Leone, the United Republic of Tanzania, Upper Volta, Yugoslavia and Zaire, subsequently joined by Egypt. In the light of a suggestion by the representative of the Netherlands, the representative of Senegal orally revised the draft, adding, in operative paragraph 2, after the words "United Nations organs", the words "with particular reference to the promotion and protection of human rights and fundamental freedoms". The draft resolution, as orally revised, was adopted by the Commission without a vote.

45. For the text of the resolution see chapter XXVIII, section A, resolution 3 (XXXI).

VII. QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE TERRITORIES
OCCUPIED AS A RESULT OF HOSTILITIES IN THE MIDDLE EAST

46. The Commission considered agenda item 4 at its 1313th to 1316th meetings, held on 20 and 21 February 1975.

47. By its resolution 1 (XXX) the Commission had decided to place this item on the agenda of its thirty-first session as a matter of high priority. The Commission had before it several notes by the Secretary-General (E/CN.4/1161 and Add.1-3) drawing its attention, at the request of the permanent representatives of Egypt, Jordan, Israel, the Syrian Arab Republic and Morocco, to General Assembly documents A/9507, A/9527, A/9561, A/9563, A/9564, A/9570, A/9673, A/9683, A/9686, A/9862, A/9986, A/9989, A/9991, A/9993 and A/9999, and to the summary record of the 928th meeting of the Special Political Committee. At the request of the representative of Tunisia, the Commission also had before it an appeal dated 22 January 1975 addressed to the Commission on Human Rights by the Islamic-Christian Conference on Jerusalem (E/CN.4/1175).

48. The Commission heard a statement by the observer for Jordan at its 1313th meeting, by the observers for Israel and the Palestine Liberation Organization at its 1314th meeting, and by the observer for Greece at its 1315th meeting.

49. Several representatives and two of the observers who took part in the discussion expressed the view that the civilian population of the occupied territories continued to be denied their human rights and that those rights could only be restored with the end of occupation. This view was based on a number of reports, including those of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/9817) and the International Committee of the Red Cross, and on articles appearing in the Israeli and international press. These violations were manifested by the continued application of measures such as the establishment of Israeli settlements in the occupied territories, expropriation of property, the denial of the right of inhabitants of the occupied territories to return to their homes, and repressive measures such as reprisals, including demolition of houses, administrative detention and mass arrests. These measures violated international law governing military occupation, such as the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, 11/ as well as the provisions of the Universal Declaration of Human Rights. The same speakers felt that the Commission should continue to give its attention to the plight of the civilian population in occupied territories so long as the occupation continued. Moreover, they referred to the right of the Palestinian people to enjoy self-determination and to have a home. One representative, however, focused attention on the very essence of the matter, namely, the forced expulsion of the Palestinians from their own homeland and the continued denial of their right to return and to self-determination. It was also stated that violations of human rights committed by Israel in the occupied territories were the result of aggression supported and encouraged by international Zionism - an ideology and practice based on incitement to hatred among peoples.

11/ United Nations, Treaty Series, vol. 75, p. 287.

50. Particular attention was drawn to the situation of Jerusalem, where the Israeli occupation authorities continued to undertake changes aimed at the Judaization of the city of Jerusalem.

51. Several speakers referred to the trial and conviction of Archbishop Hilarion Capucci and expressed the opinion that Archbishop Capucci's arrest and trial violated the existing law and tradition concerning the respect of the religious freedom of the people as well as respect for religious persons in Jerusalem and that the tribunal that had convicted him had no jurisdiction to do so.

52. Several speakers deplored the refusal by the Government of Israel to allow the Special Committee access to the occupied territories. Some speakers felt that this prevented the Special Committee from carrying out its mandate fully.

53. The observer for Israel said that the situation of the civilian population in the occupied territories was good and continued to improve. He said that his Government was the victim of Arab propaganda, which the report of the Special Committee helped to accentuate, and expressed the view that the question of the human rights of Palestinians should also be examined in the context of the right of the State of Israel to exist. He recalled that the representatives of his Government in other meetings of United Nations organs had questioned the legality of the constitution of the Special Committee and the veracity of its report. With regard to Archbishop Capucci, the observer for Israel stated that freedom of worship was guaranteed by Israeli law; the Archbishop had admitted his guilt and had been properly and lawfully convicted after due process of law.

54. At the 1315th meeting, Cyprus, Ghana, India, Pakistan, Senegal, Sierra Leone, the United Republic of Tanzania, Yugoslavia and Zaire submitted a draft resolution (E/CN.4/L.1299), and at the same meeting Cyprus, Egypt, India, Iraq, Lebanon, Pakistan, Senegal, Tunisia, Turkey and Zaire submitted another draft resolution (E/CN.4/L.1300). At the request of the representative of Egypt, the votes were taken by roll-call.

55. Draft resolution E/CN.4/L.1299 was adopted by 22 votes to 1, with 9 abstentions. The voting was as follows:

In favour: Bulgaria, Byelorussian Soviet Socialist Republic, Cyprus, Ecuador, Egypt, Ghana, India, Iran, Iraq, Lebanon, Pakistan, Panama, Peru, Senegal, Sierra Leone, Tunisia, Turkey, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire

Against: United States of America

Abstaining: Austria, Costa Rica, Dominican Republic, France, Germany (Federal Republic of), Italy, Netherlands, Nicaragua, United Kingdom of Great Britain and Northern Ireland

56. Draft resolution E/CN.4/L.1300 was adopted by 21 votes to 6, with 5 abstentions. The voting was as follows:

In favour: Bulgaria, Byelorussian Soviet Socialist Republic, Cyprus, Egypt, Ghana, India, Iran, Iraq, Lebanon, Pakistan, Panama, Peru, Senegal, Sierra Leone, Tunisia, Turkey, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Yugoslavia, Zaire

Against: France, Germany (Federal Republic of), Italy, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Austria, Costa Rica, Dominican Republic, Ecuador, Nicaragua.

57. For the text of the resolutions, see chapter XXIII, section A, resolutions 6 A and B (XXI).

VIII. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL
DISCRIMINATION AND SEGREGATION AND OF APARTHEID,
IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO
COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

58. The Commission considered agenda item 6 and its sub-items at its 1300th to 1312th, 1316th and 1317th meetings, from 11 to 19 and from 21 to 24 February 1975. Consideration of the item as a whole took place at the 1300th, 1301st and 1305th to 1308th meetings.

59. In connexion with the item as a whole, a list of decisions relevant to the question adopted by United Nations bodies during the year 1974 was submitted to the Commission (E/CN.4/923/Add.8) as well as a note by the Secretary-General containing the annual reports of the ILO and UNESCO on certain aspects of racial discrimination, submitted to the Commission in accordance with Economic and Social Council resolution 1588 (L) and General Assembly resolution 2785 (XXVI) (E/CN.4/1162 and Add.1). The Commission also had before it, in accordance with General Assembly resolution 3222 (XXIX) on "Human rights and fundamental freedoms", the relevant report of the Third Committee to the General Assembly (A/9829) and the summary records of the discussion on the question (A/C.3/SR.2068-2070). In addition the Commission considered document A/9764, containing the text of a letter dated 18 September 1974 from the Permanent Representative of Cyprus to the United Nations submitting a complaint to the Chairman of the Commission, and document A/9785, containing the text of a letter dated 27 September 1974 from the Permanent Representative of Turkey to the United Nations addressed to the President of the General Assembly, which was circulated at the request of the Permanent Representative of Turkey to the United Nations Office at Geneva.

60. At its 1307th meeting, the Commission heard statements from the observers for the International Commission of Jurists and the International Youth and Student Movement for the United Nations, non-governmental organizations in consultative status.

61. In the course of the general debate, several representatives noted that, notwithstanding the progress achieved in the promotion and protection of human rights and fundamental freedoms, grave violations of those rights and freedoms still occurred in many parts of the world. It was pointed out by some representatives that, although it might be generally agreed that no country could claim to have a perfect record, Governments were more apt to express their concern with regard to the shortcomings of others than to recognize their own. It was, however, stressed that the Commission's contribution, aimed at increasing the capacity of the United Nations to alleviate the suffering of human beings and to put an end to violations of human rights wherever they might occur, could lead to fruitful results if an atmosphere of mutual trust and understanding were maintained between the Commission and Governments of sovereign States.

62. It was pointed out that under existing procedures, governed mainly by Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII), the Commission was empowered to take certain actions when seized with situations which revealed consistent patterns of gross violations of human rights and that it had an obligation to exercise those powers without undue reticence but always mindful of the fact that in performing its functions it did not sit in judgment over sovereign

States. It was generally agreed that the prime objective of any action which the Commission might deem it appropriate to take within the framework of these resolutions should be to explore ways and means of remedying such situations and of suggesting, whenever appropriate, solutions aimed at eliminating their causes.

63. A discussion followed on the implications and scope of the existing procedures for dealing with violations of human rights, in particular the procedure provided for in Economic and Social Council resolution 1503 (XLVIII). In the view of some representatives, certain modifications in the present procedure would enhance its effectiveness. These representatives suggested that a standing working group of the Commission might be set up to consider situations revealing consistent patterns of gross violations of human rights brought to the attention of the Commission through the procedure laid down in Council resolution 1503 (XLVIII). It was also suggested that a working group of the Commission, as well as the Commission itself, would be in a better position to assess the situations referred to them if, by a modification in the procedure, they were allowed to draw upon information contained in additional or supplementary communications relating to those situations, even if they had been received too late to be taken into account by the Sub-Commission and its Working Group in the screening process of communications, provided that the Governments concerned had been given ample time to submit their observations on such additional or supplementary material. It was also suggested that a procedure should be devised for dealing with communications containing allegations not grave enough to be considered as constituting a consistent pattern of gross violations of human rights. Further, it was suggested that, with the express consent of the Governments concerned, copies of their replies to communications forwarded to them under Council resolution 728 F (XXVIII) should be forwarded to the original communicants. While some members expressed their support for the suggested modifications, others called for caution. Those who called for caution argued that the procedure in question was still new and untried and that it would be unwise at the present stage to endeavour to modify it. Several members also emphasized that it was no coincidence that the mandate given to the Commission under Council resolution 1503 (XLVIII), which was the result of prolonged and laborious efforts, was clearly limited to the examination of questions connected with consistent patterns of gross violations of human rights and excluded individual private complaints, the examination of which was a domestic affair of each State and, therefore, could not fall within the competence of United Nations bodies. Those representatives who held this view warned that any attempt to introduce within the United Nations system a practice that would involve the examination of communications or complaints relating to single cases of violations of individual rights of particular persons would entail an infringement of national sovereignty and of the principle of non-interference by the United Nations in the domestic jurisdiction of States. In the opinion of those representatives the Commission would, therefore, be well advised to test in practice the procedure provided for in Council resolution 1503 (XLVIII) without any modifications, and not to reconstitute the working group on communications, either on a permanent or on a temporary basis, as that would run counter to resolution 1503 (XLVIII).

64. The representatives of Cyprus, Turkey and the Union of Soviet Socialist Republics and the observer for Greece made statements relating to the current situation in Cyprus; those statements are summarized in the record of the 1305th meeting. At that meeting the representative of India introduced a draft resolution sponsored by Egypt, India, Senegal, Yugoslavia and Zaire (E/CN.4/L.1297). At the same meeting, the draft resolution was adopted without a vote. At the 1306th meeting, the representatives of Turkey and Cyprus and the observer for Greece explained the positions of their Governments.

65. For the text of the resolution see chapter XXIII, section A, resolution 4 (XXXI).

66. During the discussion of the item, allegations of violations of human rights were made against certain Governments. Those allegations, as well as the replies made thereto by representatives of the Governments concerned, are summarized in the records of the 1300th, 1301st and 1305th to 1307th meetings. Statements were heard from the observers for Amnesty International and the World Conference of Religion for Peace, non-governmental organizations in consultative status. Several representatives deplored that the latter organization had seen fit to make unfounded and slanderous accusations against member States and expressed the view that such statements constituted an abuse of the privilege accorded to non-governmental organizations to participate in the deliberations of the Commission. This and other questions relating to the role of non-governmental organizations were pursued at the 1317th meeting of the Commission (see paragraph 69 below).

A. Study of situations which reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolution 1235 (XLII) and 1503 (XLVIII): report of the Working Group established by Commission decision 3 of 6 March 1974

67. The Commission considered agenda item 6 (a) at its 1308th to 1312th and 1316th and 1317th closed meetings, on 17, 18, 19, 21 and 24 February 1975.

68. The Commission had before it chapters VIII and IX of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the work of its twenty-seventh session (E/CN.4/1160) and confidential documents E/CN.4/R.1 and addenda, E/CN.4/R.6 and addenda, E/CN.4/R.7 and addenda and E/CN.4/R.8 and addenda. The confidential documents contained material that had reached the Commission under Economic and Social Council resolution 1503 (XLVIII) and observations thereon received from Governments and the report of the Working Group that had been established by Commission decision 3 of 6 March 1974, as approved by Economic and Social Council decision 15 (LVI) of 17 May 1974, to examine the confidential material referred to the Commission under Council resolution 1503 (XLVIII) together with the observations of the Governments concerned.

69. At its 1317th meeting (closed) the Commission by a vote adopted the text of a draft resolution recommended for adoption by the Economic and Social Council relating to written and oral statements by non-governmental organizations in consultative status concerning complaints or allegations relating to human rights and decided to include the text in its report to the Council.

70. For the text of the draft resolution see chapter I, section A, draft resolution II.

71. At its 1317th meeting the Commission adopted general decisions relating to the item and decided to include them in its report to the Economic and Social Council.

72. For the text of the above-mentioned decisions, see chapter XXIII, section B, decision 7 (XXXI), and chapter I, section B, draft decision 2.

73. At the 1335th meeting, on 7 March 1975, the Chairman of the Commission announced that, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, he had appointed the following members as members of the working group referred to in paragraph (c) of decision 7 (XXXI): Mr. Aleksandar Božović (Yugoslavia), Mrs. D.N.J. Danieli (United Republic of Tanzania), Mr. Pierre Juvigny (France) and Mr. Didimo Ríos (Panama). A representative from the Asian region, whose appointment had not yet been approved by the Government concerned, would be appointed as the fifth member of the group.

B. Report of the Ad Hoc Working Group of Experts

74. The Commission considered item 6 (b) at its 1302nd to 1306th meetings, held from 12 to 14 February 1975.

75. The Commission had before it the report (E/CN.4/1159) of the Ad Hoc Working Group of Experts established under resolution 2 (XXIII), prepared in accordance with Commission resolution 19 (XXIX) and Economic and Social Council resolution 1868 (LVI).

76. At its 1302nd, 1305th and 1306th meetings the Commission heard statements by the observer for OAU and observers from the following national liberation movements: South West Africa People's Organisation, African National Congress (South Africa), African National Council of Zimbabwe, Pan Africanist Congress of Azania (South Africa) and Palestine Liberation Organization. The Commission also heard statements by the observers from the following non-governmental organizations in consultative status: Women's International League for Peace and Freedom, World Federation of Trade Unions and International Confederation of Free Trade Unions.

77. At the 1302nd meeting of the Commission, the Chairman of the Ad Hoc Working Group of Experts, Mr. Kéba M'Baye, introduced the report of the Working Group and drew particular attention to the specific conclusions and recommendations contained in the report.

78. Many representatives congratulated the Chairman and members of the Ad Hoc Working Group of Experts on their report which, in the opinion of those representatives, gave evidence of repressive police measures, inhuman and degrading treatment inflicted on political prisoners, mass killings and atrocities and other blatant violations of human rights perpetrated by the racist and colonial régimes of Southern Rhodesia and South Africa. It was stated by some members that certain aspects of the evidence revealed elements of genocide. It was also pointed out that even if there had been improvements in certain areas in southern Africa, as, for instance, in the territories formerly under Portuguese administration, the report showed that gross violations of human rights were continuing on a mass scale in South Africa, in Southern Rhodesia and in Namibia illegally occupied by the Government of South Africa.

79. Several speakers considered that the report of the Ad Hoc Working Group of Experts should not only be studied by the Commission but should be given appropriate publicity in all organs of the United Nations and in all countries, so that public opinion would be made aware of what was happening in the territories concerned.

80. Several representatives welcomed the achievement of independence in Guinea-Bissau and internal self-government in Angola and Mozambique and expressed the hope that the latter territories would become fully independent by the end of 1975. They stated that the régimes in Southern Rhodesia and South Africa should learn from those events and change their policies accordingly.

81. It was emphasized by a number of representatives that, inasmuch as the racist régime of South Africa stubbornly continued to conduct a policy of apartheid, flagrantly violating its obligations under the Charter of the United Nations, flouting United Nations instruments and decisions concerning the elimination of apartheid and racial discrimination and ignoring the opinion of the International Court of Justice regarding Namibia, the Commission should state that South Africa's policies were incompatible with its continued membership in the United Nations and the obligations resulting from that membership.

82. A large number of representatives expressed the view that the Ad Hoc Working Group of Experts was making an effective contribution to the international action against the gross and massive violations of human rights perpetrated by the racist and colonialist régimes in southern Africa. They fully subscribed to the conclusions and recommendations contained in the Working Group's report and proposed that the mandate of the Working Group should be extended.

83. At the 1304th meeting, Ghana, Sierra Leone, the United Republic of Tanzania, Yugoslavia and Zaire submitted a draft resolution (E/CN.4/L.1296), which was subsequently sponsored also by Costa Rica, Cyprus, Ecuador, Egypt, India, Panama and Upper Volta.

84. Some representatives, though they were in general agreement with the humanitarian purposes of the draft resolution, expressed reservations about the validity of certain conclusions and recommendations of the Ad Hoc Working Group of Experts on which several provisions of the draft resolution were based. They stated that certain paragraphs of the draft resolution, which had political and legal implications, went beyond the competence of the Commission.

85. At the 1304th meeting, the representative of Italy proposed an oral amendment to operative paragraph 1 of the draft resolution and to operative paragraph 2 of the draft resolution recommended to the Economic and Social Council.

86. At the 1306th meeting the Commission had before it a revised text of the draft resolution (E/CN.4/1296/Rev.1), which the sponsors had submitted in the light of the discussion and after consultations.

87. At the same meeting, the Director of the Division of Human Rights made a statement concerning the administrative and financial implications of the revised draft resolution. The statement was subsequently circulated in document E/CN.4/L.1298.

88. At the 1306th meeting, the revised draft resolution (E/CN.4/L.1296/Rev.1) was adopted without a vote.

89. For the text of the resolution see chapter XXIII, section A, resolution 5 (XXXI), and chapter I, section A, draft resolution I.

90. At the 1335th meeting, on 7 March 1975, the Chairman of the Commission stated that, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, he wished to announce the composition of the Ad Hoc Working Group of Experts referred to in paragraph 12 of resolution 5 (XXXI): Mr. Kéba M'Baye (Senegal), Mr. Felix Ermacora (Austria), Mr. Humberto Díaz Casanueva (Chile), Mr. Annan Arkyin Cato (Ghana), Mr. Branimir M. Jancović (Yugoslavia) and Mr. Amjad Ali (India). Mr. M'Baye would continue to serve as Chairman of the Group.

IX. STUDY OF REPORTED VIOLATIONS OF HUMAN RIGHTS IN CHILE,
WITH PARTICULAR REFERENCE TO TORTURE AND OTHER CRUEL,
INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

91. The Commission considered agenda item 7 at its 1318th to 1323rd meetings, from 25 to 27 February 1975.

92. The item was included in the agenda at the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities which, in its resolution 8 (XXVII), recommended that the Commission on Human Rights, at its thirty-first session, study the reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment. In the same resolution the Sub-Commission requested the specialized agencies and other intergovernmental organizations, as well as non-governmental organizations in consultative status concerned, to submit to the Secretary-General, for reference to the Commission on Human Rights, recent and reliable information on torture and other cruel, inhuman or degrading treatment or punishment in Chile. The General Assembly in its resolution 3219 (XXIX) endorsed the recommendation made by the Sub-Commission in its resolution 8 (XXVII).

93. The Commission had before it the following documentation:

(a) A note by the Secretary-General giving the background to the item before the Commission (E/CN.4/1166);

(b) Information submitted in accordance with resolution 8 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as follows:

(i) Information submitted by the International Labour Office and the United Nations Educational, Scientific and Cultural Organization (E/CN.4/1166/Add.1 and 2);

(ii) Information submitted by the Organization of American States (E/CN.4/1166/Add.3 and 14);

(iii) Information submitted by the following non-governmental organizations: International Commission of Jurists (E/CN.4/1166/Add.4 and Add.6), Inter-Parliamentary Union (E/CN.4/1166/Add. 4), World Confederation of Organizations of the Teaching Profession (E/CN.4/1166/Add.4), Amnesty International (E/CN.4/1166/Add.5), International Confederation of Free Trade Unions (E/CN.4/1166/Add.5), International Committee of the Red Cross (E/CN.4/1166/Add.6), International Union of Students (E/CN.4/1166/Add.7), World Federation of Trade Unions (E/CN.4/1166/Add.8 and Add.10), Women's International Democratic Federation (E/CN.4/1166/Add.9), World Confederation of Organizations of the Teaching Profession (E/CN.4/1166/Add.11), World Confederation of Labour (E/CN.4/1166/Add.12), Christian Democratic World Union (E/CN.4/1166/Add. 13), International Youth and Student Movement for the United Nations (E/CN.4/1166/Add.15);

(c) A letter dated 21 August 1974 from the Chargé d'affaires ad interim of the Permanent Mission of Chile to the United Nations (E/CN.4/1158); a letter from the

Permanent Representative of Chile to the United Nations Office at Geneva, with annexes (E/CN.4/1174); a memorandum from the Permanent Representative of Chile to the United Nations Office at Geneva (E/CN.4/1174/Add.1);

(d) The Commission also had before it the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twenty-seventh session (E/CN.4/1160).

94. The Commission heard statements by the observers for Cuba, the German Democratic Republic and Chile at the 1319th, 1321st and 1323rd meetings respectively.

95. The Commission also heard a statement by the representative of the Intern International Labour Organisation (1321st meeting).

96. In the course of the general debate the observers for the following non-governmental organizations in consultative status addressed the Commission: Inter-Parliamentary Union (1319th meeting); World Federation of Trade Unions, International Commission of Jurists and International Confederation of Free Trade Unions (1321st meeting); International Association of Democratic Lawyers, International Federation for Human Rights, World Peace Council, World Federation of Democratic Youth and International Youth and Student Movement for the United Nations (1322nd meeting).

97. The representatives and most of the observers who made statements expressed serious concern about the human rights situation in Chile and especially about the numerous reports that indicated grave violations of the rights enunciated in international instruments adopted by the United Nations. Almost all speakers called for urgent action by the Commission to secure the release of persons held without trial, the ending of inhuman treatment meted out to detainees and prisoners and the restoration of full respect for human rights in Chile. Some representatives pointed out that the reply of the Chilean authorities to the Commission's telegram of 1 March 1974 12/ had been unsatisfactory.

98. A number of representatives deplored in particular mass arrests and detention of persons regardless of their age or sex and the cruel treatment inflicted on detainees, many of whom, as a result, had lost their lives, as well as the mass terror unleashed by the Chilean junta. These representatives expressed the view that the documentation before the Commission contained detailed evidence that revealed that the right to life, liberty and security of person had been grossly violated and continued to be violated in Chile. Consequently, they considered that the Commission should strongly urge the Chilean authorities to implement without delay General Assembly resolution 3219 (XXIX) as well as other relevant decisions and resolutions of various United Nations organs.

99. Many delegations decried the trends involving the expulsion of some Chilean citizens from Chile and the punishment prescribed in the event of their returning to their own country. These trends were seen as amounting to illegal deportations and as being cruel and inhuman punishment and therefore contrary to the Universal Declaration of Human Rights, the accepted norms of international law and the Charter of the United Nations.

100. Many other representatives, while they also expressed concern at reported violations of human rights in Chile, felt that the Commission, within the exercise of its functions and following the resolution adopted by the General Assembly, should not proceed to condemn the Government of Chile merely on the existing written or oral reports but that it should recommend appropriate measures only on the basis of first-hand and well-founded information obtained through an impartial and objective study of its own. Such a procedure, in their view, was realistic in the circumstances and might eventually be conducive to genuine progress towards the restoration of human rights in Chile. One delegation expressed the hope that the Chilean authorities would accelerate the release of political detainees and would likewise facilitate an early return to their homes of Chilean nationals living in exile.

101. Some representatives welcomed the reports which suggested that a number of detainees had been released and that the Chilean authorities were willing to co-operate in allowing fact-finding missions to visit Chile. Those factors, they felt, constituted encouraging signs towards a more desirable trend, which, if encouraged, might continue.

102. The observer for Chile stated that the allegations contained in the documentation before the Commission, as well as in the statements of certain representatives, with regard to mass arrests, torture and killings, were either grossly exaggerated or untrue. He said that some people who had been listed as detained or killed were alive and well, either in Chile or abroad. He defended his Government's restrictions on certain liberties of the citizens on the grounds that a state of war existed within his country. He announced that his Government would welcome and lend every assistance to an impartial and unprejudiced fact-finding mission to Chile which would seek the truth of the situation in that country.

103. At the 1318th meeting the representative of the United Kingdom introduced a draft resolution (E/CN.4/L.1301) sponsored by the Netherlands, Nicaragua and the United Kingdom, by which, among other things, the Commission would decide that a three-man working group under the chairmanship of the Chairman of the Commission would inquire into the present situation of human rights in Chile and report the results of its inquiries to the Commission at its thirty-second session; the working group would submit a progress report on its findings to the Secretary-General for inclusion in his report to the General Assembly at its thirtieth session under General Assembly resolution 3219 (XXIX). Subsequently the sponsors submitted a revised text (E/CN.4/L.1301/Rev.1) under which the proposed ad hoc working group would consist of five members.

104. At the same meeting the representative of the USSR introduced a draft resolution (E/CN.4/L.1302) by which the Commission would, among other things, condemn the violations of basic human rights and fundamental freedoms in Chile, urge the Chilean authorities to implement, without further delay, the relevant resolutions and decisions of the United Nations, and consider that the continuation of violations of human rights was incompatible with Chile's obligations under the United Nations Charter.

105. At the 1323rd meeting the representative of Senegal introduced a draft resolution (E/CN.4/L.1303) which took into account the various opinions and proposals put forward in the course of the discussions and of the intensive informal consultations that had taken place.

106. At the 1323rd meeting the Director of the Division of Human Rights made a statement concerning the financial and administrative implications of draft resolution E/CN.4/L.1303; the statement was distributed as document E/CN.4/L.1304.

107. At the 1323rd meeting on 27 February 1975 draft resolution E/CN.4/L.1303 was adopted without a vote.

108. The representative of the USSR explained that his delegation had joined in the consensus because it was especially important that the Commission should act unanimously. He emphasized in particular that, in approaching its task, the ad hoc Working Group would have to base itself on those provisions of the resolution which urged the Chilean authorities to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms on the basis of the resolution of the General Assembly, the decision of the Commission on Human Rights at its thirtieth session and relevant resolutions of other United Nations organs.

109. As a result of the adoption of the above-mentioned resolution, draft resolutions E/CN.4/L.1301/Rev. 1 and E/CN.4/L.1302 were not put to the vote.

110. For the text of the resolution see chapter XXIII, section A, resolution 8 (XXXI).

111. At the 1335th meeting, on 7 March 1975, the Chairman, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, announced the following composition of the Ad Hoc Working Group referred to in paragraph 1 of resolution 8 (XXXI): Mr. Ghulam Ali Allana (Pakistan), Mr. Leopoldo Benites (Ecuador), Mr. Abdoulaye Diéye (Senegal), Mr. Felix Ermacora (Austria) and Mrs. M.J.P. Kamara (Sierra Leone). He stated that he understood that it was the wish of the Commission that the reference to "five members of the Commission" was meant to include both full members of the Commission and alternate representatives who had taken part in the Commission's work on the item. He also took it that the Commission would empower him to replace any member of the group who might for one reason or another be unable to serve. A statement made by the representative of the Soviet Union is recorded in the summary record of the 1335th meeting of the Commission.

X. FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF A LONG-
TERM PROGRAMME OF WORK OF THE COMMISSION

112. The Commission considered agenda item 20 at its 1324th to 1328th and 1330th meetings, from 28 February to 5 March 1975.

113. At its thirtieth session, in connexion with its consideration of the item "Further promotion and encouragement of respect for human rights and fundamental freedoms", the Commission had adopted resolution 10 (XXX), in which it decided to consider the question of a long-term programme of work at its thirty-first session and requested the Secretary-General to invite proposals and views of Member States concerning the Commission's programme of work and to submit an analysis of such replies to the Commission at its thirty-first session.

114. The Commission had before it at its thirty-first session the analysis of replies from Member States prepared by the Secretary-General in accordance with Commission resolution 10 (XXX) (E/CN.4/1168 and Add.1). Document E/CN.4/NGO/184, containing a statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status, was also made available to the Commission.

115. The representative of UNESCO made a statement in the course of the debate. The Commission also heard statements by observers for the International Federation for Human Rights and the Inter-American Press Association, non-governmental organizations in consultative status.

Draft resolution E/CN.4/L.1285

116. The Commission considered the draft resolution submitted at the thirtieth session by Bulgaria, the Byelorussian Soviet Socialist Republic and the Union of Soviet Socialist Republics (E/CN.4/L.1285), which had been deferred to the current session and to which amendments had been submitted by the United Kingdom of Great Britain and Northern Ireland (E/CN.4/L.1286).

117. Representatives supporting the draft resolution considered that human rights had to be viewed in the context of international peace and security. They said that human rights could not be divorced from the fight against aggression and colonialism and the unlawful occupation of territory by foreign Powers. The right to life was paramount, they contended. Détente and the steps taken to strengthen it were important in the protection of fundamental human rights. Massive violations of human rights could best be prevented by putting an end to wars of aggression, as such wars were the most frequent cause of disregard for fundamental human rights. They therefore felt that it was necessary to deal first with the problem of international peace and security and to view the future of human rights in that context.

118. Some other representatives considered that human rights and the question of international peace and security were not always linked. Not all violations, they pointed out, were the result of wars. On the contrary, such violations had sometimes been the cause of wars. Furthermore, the right to life comprised also the right to liberty and security of person.

119. It was also stated that détente was the affair not only of Governments but of peoples. The ordinary citizen expected more than treaties and international agreements. In addition to peace and security, the common man sought protection of his human rights, whether the world was at war or at peace.

120. At the 1326th meeting, revised amendments were submitted by the Federal Republic of Germany, Italy and the United Kingdom of Great Britain and Northern Ireland (E/CN.4/L.1307).

121. At the 1327th meeting the representative of Egypt submitted oral amendments by which: (i) in the third preambular paragraph, the words "aggression, occupation or" would replace the words "aggression or"; (ii) in the fifth preambular paragraph, after the word "peace" and before the comma, the words "based on justice" would be inserted; (iii) in operative paragraph 1, the words "and justice" would be inserted after the words "universal peace"; (iv) in operative paragraph 3, the word "occupation," would be inserted after the word "aggression,".

122. At the 1330th meeting the Commission, lacking the time to reconcile the differing viewpoints, accepted a proposal by the representative of Iraq to postpone consideration of draft resolution E/CN.4/L.1285 and the amendments thereto to its thirty-second session and to give it high priority at that session.

123. For the decision of the Commission, see chapter XXIII, section B, decision 8 (XXXI).

Draft resolution E/CN.4/L.1305

124. At the 1327th meeting, the representative of Cyprus, also on behalf of Austria, Ecuador, Egypt, France, Germany (Federal Republic of), Ghana, Iran, Iraq, the Netherlands, Nicaragua, Panama, Peru, Turkey and Yugoslavia, introduced draft resolution E/CN.4/L.1305, the aim of which was to designate Mrs. Rajan Nehru to attend, on behalf of the Commission on Human Rights, the World Conference to be held in connexion with the International Women's Year.

125. At the same meeting the draft resolution was adopted without a vote after the Commission heard a statement by the representative of the Secretary-General relating in particular to the financial implications of the draft resolution. The statement of financial implications was distributed as document E/CN.4/L.1308.

126. For the text of the resolution, see chapter XXIII, section A, resolution 9 (XXXI), and chapter I, section A, draft resolution III.

Draft resolution E/CN.4/L.1306

127. At the 1327th meeting, the representative of Austria, also on behalf of Ghana, Iran, the Netherlands and the United Republic of Tanzania, introduced draft resolution E/CN.4/L.1306.

128. In support of the draft resolution, it was stated that a period of implementation must now follow the period of codification. The view was expressed that effective co-ordination between the various bodies dealing with questions affecting human rights was important. Several representatives made suggestions

as to methods for improving the Commission's work. Among such suggestions was one that the Commission on Human Rights should be elevated to the status of a Council, with the possibility for the Commission to meet in emergency session to consider violations of human rights while they were occurring. Some representatives advanced arguments against those suggestions. It was also suggested that the questions of publicity and education in human rights were problems that the Commission should study carefully. Some representatives made suggestions for improving the programmes of studies and advisory services and stressed the need to improve the preparation of documents and their timely distribution to members of the Commission. They argued that fragmentary approaches to human rights were out of date and that human rights could not now be divorced from such matters as economic problems.

129. At the 1327th meeting amendments to the draft resolution were submitted by Sierra Leone (E/CN.4/L.1309).

130. At the same meeting, the representative of the Union of Soviet Socialist Republics submitted oral amendments by which: (i) at the end of the first preambular paragraph, the words "and also Economic and Social Council resolution 1694 (LII)," would be added; (ii) after the second preambular paragraph, two new preambular paragraphs would be inserted, reading:

"Noting that only a small number of Member States have replied to the request of the Secretary-General on this matter;

"Bearing in mind that, in elaborating a long-term programme of work of the Commission on Human Rights, it is necessary to take into consideration the opinions of the largest possible number of Member States,"

(iii) the following two new paragraphs would be inserted as operative paragraphs 1 and 2:

"1. Requests the Secretary-General to invite Member States which have not yet done so to send their suggestions or opinions concerning the long-term work programme of the Commission;

"2. Requests the Secretary-General to submit to the Commission at its thirty-second session an analytical survey of the replies received from Member States concerning the long-term programme of work of the Commission and also a report on the implementation of decisions adopted by the Commission and other United Nations bodies on matters within the terms of reference of the Commission and relevant to the long-term work programme of the Commission;"

(iv) in the existing operative paragraph 1, which would be renumbered 3, subparagraphs (a) and (b) would be deleted; (v) in the existing subparagraph (d), which would be relettered (b), the words "within the framework of the Committee for Programme and Co-ordination" would be inserted after the words "ways and means of achieving"; (vi) the existing operative paragraph 2 would be renumbered 4, the existing operative paragraph 3 would be deleted, and the following new operative paragraph 5 would be added:

"5. Decides to consider thoroughly and comprehensively at its thirty-second session the question of the long-term work programme of the Commission with due consideration of reports to be submitted to the Commission pursuant to the present resolution and to resolution 10 (XXX)."

131. At the 1328th meeting the representative of Egypt submitted an oral amendment by which, in operative paragraph 1 (b), after the words "Treatment of Offenders" the words "and the discussions and recommendations of the World Food Conference, the World Population Conference and the United Nations Conference on the Human Environment" would be added.

132. A number of these amendments were accepted by the sponsors and incorporated in their revised draft resolution (E/CN.4/L.1306/Rev.1).

133. At the 1330th meeting the representative of the USSR asked for a separate vote on paragraph 3 (a) of draft resolution E/CN.4/L.1306/Rev.1.

134. Paragraph 3 (a) was adopted by 20 votes to 3, with 3 abstentions.

135. At the same meeting, draft resolution E/CN.4/L.1306/Rev.1, as a whole, was adopted by 24 votes to none, with 3 abstentions.

136. For the text of the resolution, see chapter XXIII, section A, resolution 10 (XXXI).

XI. THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

137. The Commission considered agenda item 10 (The role of youth in the promotion and protection of human rights: (a) The question of conscientious objection to military service: report of the Secretary-General; (b) Channels of communication with youth and international youth organizations: report of the Ad Hoc Advisory Group on Youth on its first meeting at its 1329th, 1330th and 1331st meetings, on 4 and 5 March 1975.

A. The question of conscientious objection to military service

138. The Commission had before it a report of the Secretary-General (E/CN.4/1118 and Corr.1 and Add.1-3) prepared in accordance with Commission resolution II B (XXVII). Two statements submitted by non-governmental organizations in consultative status (E/CN.4/NGO/185 and 186) were also made available to the Commission.

139. At its 1329th and 1330th meetings, the Commission heard the observers for three non-governmental organizations in consultative status, the International Confederation of Free Trade Unions, the Friends World Committee for Consultation and the International Youth and Student Movement for the United Nations.

140. In the discussion the view was expressed by some members that the question of conscientious objection to military service was a matter of paramount importance for young people throughout the world and for future generations as well. It was pointed out that the question was intimately linked with certain fundamental human rights, in particular, the right to life and the right to freedom of thought, conscience and religion, as provided in articles 3 and 18 of the Universal Declaration of Human Rights.

141. Some members pointed out that in their countries the right to object to military service for reasons of conscience was recognized by their national laws and young men were given the opportunity of performing community-oriented social services, such as counselling persons in need of legal assistance or teaching in rural areas.

142. Some representatives said that the question was of less immediate concern to many countries and had a minor impact on the development of international relations. In their opinion, conscientious objection to military service was admissible only in those instances where young men refused to participate in wars of aggression or colonialism. In their view it was strictly a matter for domestic concern and, as such, was properly dealt with by national legislation. For those reasons a question of such complexity should not be approached in an abstract manner.

B. Channels of communication with youth and international youth organizations: report of the Ad Hoc Advisory Group on Youth on its first meeting

143. In its resolution 1842 (LVI) of 15 May 1974, the Economic and Social Council requested the Secretary-General to communicate the report of the Ad Hoc Advisory Group on Youth on its first meeting, with his own comments and recommendations, to the Commission for Social Development, the Commission on Human Rights, the Commission on the Status of Women and the Population Commission for their

consideration, taking into account the discussions in the Economic and Social Council at its fifty-sixth session. The Council also recommended to the Commission on Human Rights, the Commission for Social Development and the Commission on the Status of Women that international and regional meetings on specific issues and action programmes related to youth, especially on the participation of youth in the life of society, should be organized by the United Nations and that youth participation at such meetings should be assured.

144. The Commission had before it the report of the Ad Hoc Advisory Group on Youth on its first meeting (E/CN.5/508), the comments and recommendations of the Secretary-General on the report (E/5427, paras. 10 (c) and 12 (a)) and the summary records of the relevant discussion in the Council (E/AC.7/SR.732-737 and 739; E/SR.1896).

145. Members of the Commission who spoke on the item regarded the role of youth in the promotion and protection of human rights, as well as other aspects of the role of youth in international society, as being of great importance. Several speakers mentioned the aspirations of youth for participation as being a central issue of human rights and called for the involvement of youth in the decision-making processes at both the national and international levels.

146. The aspirations of youth to have proper education, to found families, to determine their future and to have adequate housing, employment and equal pay for equal work, were referred to by some members. The potential contribution of youth in reducing violations of human rights and in performing social work was also emphasized. It was stated that there should be participation of youth in the Programme for the Decade for Action to Combat Racism and Racial Discrimination. Stress was laid on the role of young women and girls in society and on the teaching of human rights. At the same time, the opinion was expressed that excessive expansion of United Nations activities in that field would not be desirable.

147. Attention was drawn by some representatives to special problems faced by youth in developing countries. It was stated that the problems of illiterate and semi-literate youth in rural areas and of underprivileged youth in urban areas should be taken fully into account.

148. A number of representatives expressed appreciation of the work performed by the Ad Hoc Advisory Group on Youth. Other representatives made a number of critical comments on the Group's report and recommendations.

C. Decision of the Commission

149. On 4 March a draft resolution (E/CN.4/L.1310) was submitted by Austria, Costa Rica and the Netherlands.

150. At the 1331st meeting, the representative of the Netherlands, on behalf of the sponsors, stated that, in view of the time factor, he would not insist on a vote being taken on the draft resolution at the current session, and he proposed that further consideration of the item should be postponed to the thirty-second session of the Commission and that the item should be accorded priority at that session.

151. At the same meeting, the Commission decided to defer the item to its thirty-second session and to give it high priority at that session.

152. For the text of the decision see chapter XXIII, section B, decision 9 (XXXI).

XII. HUMAN RIGHTS AND SCIENTIFIC AND
TECHNOLOGICAL DEVELOPMENTS

153. The Commission considered item 12 of its agenda at its 1329th and 1331st meetings, held on 4 and 5 March 1975.

154. In its resolution 10 (XXVII) the Commission had decided to retain the item on human rights and scientific and technological developments as a standing item of its agenda. The General Assembly in paragraph 5 of its resolution 3268 (XXIX) had requested the Commission to draw up a programme of work, taking into account the reports of the Secretary-General, the replies received from Governments in response to the invitation contained in paragraph 2 of the resolution and other relevant sources, with a view to undertaking in particular the formulation of standards in the areas which would appear to be sufficiently analyzed, without prejudice to other activities carried out pursuant to earlier relevant resolutions, and to transmit that programme to the Economic and Social Council at its sixtieth session.

155. In addition to the reports submitted to the Commission at previous sessions, the Commission had before it the report of the Secretary-General on uses of electronics that might affect the rights of the person and the limits that should be placed on such uses in a democratic society (E/CN.4/1142 and Corr.1 and Add.1 and 2); a part of his report on the protection of the human personality and its physical and intellectual integrity in the light of advances in biology, medicine and biochemistry (E/CN.4/1172 and Corr.1) and his note on the programme of work (E/CN.4/L.1287). The Commission also had before it a report on health aspects of human rights in the light of developments in biology and medicine prepared by the World Health Organization (E/CN.4/1173).

156. At the 1331st meeting the Commission heard a statement by the representative of the World Health Organization, who introduced the report of his organization (E/CN.4/1173).

157. In the course of the Commission's discussion the opinion was expressed that high-quality, scholarly work on human rights and scientific and technological developments was being done by the Secretariat in co-operation with the specialized agencies and that it was unfortunate that financial considerations prevented a wider distribution of the material resulting from that activity. It was stressed that the results of this work deserved the widest possible dissemination.

158. Another opinion expressed was that emphasis should be placed on developing measures to ensure that the results of scientific and technological developments were used in the interest of international peace and social progress and for improving the quality of life for the peoples of all countries. Measures should be taken in order that scientific and technological progress should not be used to suppress national liberation movements, interfere in the internal affairs of States, violate the right of peoples to self-determination, increase exploitation of broad sections of the population and the profits of multinational corporations and aggravate material and social inequalities.

159. At the 1331st meeting a draft resolution (E/CN.4/L.1312) was submitted by France, subsequently joined by Ecuador and Panama. The draft was orally revised by the sponsors at the same meeting. In addition, an oral amendment proposed by the representative of Iran was accepted by the sponsors.

160. The representative of the Union of Soviet Socialist Republics submitted an oral amendment by which the following words would be added at the end of operative paragraph 2 (b) of the draft resolution:

"taking also into account the need to continue other forms of activity in accordance with the above-mentioned resolutions of the General Assembly and of the Commission on Human Rights;"

161. This amendment was rejected by 10 votes to 4, with 13 abstentions.

162. The draft resolution, as orally revised, was adopted by the Commission at its 1331st meeting, on 5 March 1975, by 21 votes to none, with 5 abstentions.

163. For the text of the resolution, see chapter XXIII, section A, resolution 11 (XXXI).

XIII. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

164. The Commission considered agenda item 19 at its 1331st meeting on 5 March 1975.
165. The Commission had decided at its thirtieth session to postpone to its thirty-first session consideration of the item on advisory services in the field of human rights. It had, therefore, before it at its thirty-first session the report of the Secretary-General on the programme of advisory services submitted to the thirtieth session (E/CN.4/1136). It also had before it a report of the Secretary-General prepared for the thirty-first session of the Commission (E/CN.4/1169). The report of the human rights seminar held at Ohrid, Yugoslavia, in June 1974 on the promotion and protection of the human rights of national, ethnic and other minorities was also made available to the Commission (ST/TAO/HR/49).
166. In introducing the item the Director of the Division of Human Rights commented on the data contained in the above-mentioned reports regarding fellowships, training courses and seminars. Concerning fellowships, he referred to the great number of governmental requests and the attempt by the Secretariat to give priority to fellows from countries which had not yet benefited from the programme, due account being taken of the importance of the subjects selected and their relevance to the human rights aims of the United Nations. He announced changes that would have to be made in the programme of seminars for 1975 in the light of certain problems faced by host countries.
167. At its 1331st meeting, the Commission decided to take note of the reports of the Secretary-General on advisory services in the field of human rights (E/CN.4/1136 and E/CN.4/1169).^{13/}
168. For the text of the decision, see chapter XXIII, section B, decision 10 (XXXI).

^{13/} See also chap. XXIII, sect. A, resolution 10 (XXXI), para. 3 (d).

XIV. DRAFT DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE
AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

169. The Commission considered agenda item 5 at its 1331st meeting, on 5 March 1975; the question of the establishment of the working group that was to work on the preparation of the draft declaration was discussed at the 1292nd and 1293rd meetings, on 4 March 1975.

170. At its twenty-ninth session the General Assembly had adopted resolution 3267 (XXIX), entitled "Elimination of all forms of religious intolerance", in which it requested the Secretary-General to transmit to the Commission on Human Rights all the opinions expressed and suggestions put forward in the course of the discussion of the question at that session of the General Assembly; requested the Commission on Human Rights to submit through the Economic and Social Council, to the General Assembly at its thirtieth session a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief; and decided to include the item in the provisional agenda of its thirtieth session with a view to assessing progress in the elaboration of a Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to considering, completing and adopting, if possible, the Declaration, provided a single draft was completed by the Commission on Human Rights.

171. The Commission had before it: (a) a report of the Secretary-General (A/9134 and Add.1 and 2) containing the observations submitted by Governments pursuant to General Assembly resolution 3027 (XXVII) of 18 December 1972; (b) a note by the Secretary-General (A/9135) containing an analytical presentation of the observations in document A/9134; (c) the summary records of the 2006th and 2009th to 2014th meetings of the Third Committee of the General Assembly at its twenty-eighth session; (d) the summary records of the 2091st to 2096th meetings of the Third Committee of the General Assembly at its twenty-ninth session (A/C.3/SR.2091-2096) and the record of the 2311th plenary meeting of the General Assembly (A/PV.2311); (e) the report of the Third Committee on the question to the General Assembly at its twenty-ninth session (A/9893); (f) a working paper prepared by the Secretariat (E/CN.4/1145) indicating the present state of consideration of the texts which the General Assembly, at its twenty-eighth session, took as a basis for discussion of a draft declaration on the elimination of all forms of religious intolerance, and (g) a report of the Secretary-General (E/CN.4/1146 and Add.1-3) containing the replies received from Governments under General Assembly resolution 3069 (XXVIII).

172. At its 1293rd meeting, the Commission decided to establish an informal Working Group open to all its members to continue the consideration of the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief.

173. At the 1331st meeting of the Commission, the representative of France, Chairman/Rapporteur of the informal Working Group, introduced the report of the Group, which read as follows:

"...

"2. It should be noted ... that, at its thirtieth session in 1974, the Commission had set up an informal Working Group that had adopted, at first reading, the title and first paragraph of a draft declaration reading as follows (see E/5464, a/ paras. 56 and 57):

'Draft Declaration on the Elimination of All Forms of Intolerance
and Discrimination Based on Religion or Belief

'Considering that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all States Members have pledged themselves to take joint and separate action in co-operation with the Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,'

"3. The informal Working Group held five meetings, on 10, 17 and 24 February and 3 and 4 March 1975. At its meeting on 10 February 1975, the informal Working Group unanimously elected Mr. Pierre Juvigny (France) as its Chairman/Rapporteur. At the same meeting, the informal Working Group decided that, in principle, it would reach decisions by consensus without, however, excluding the possibility of voting.

"4. During the course of its work, the Group examined paragraphs 2 to 9 of the preamble of a draft declaration based on the text submitted by the representative of the Byelorussian SSR at the Commission's thirtieth session (E/CN.4/5464, para. 57) and the text proposed by the Netherlands representative at the Commission's present session (E/CN.4/L.1289/Add.1). The results of its discussions are described below.

"5. Paragraphs 2 to 9 of the preamble to a draft declaration submitted by the representative of the Byelorussian SSR read as follows:

[2] 'Considering that the principle of non-discrimination and the right to freedom of thought, conscience, religion and belief are proclaimed in the Universal Declaration of Human Rights and consecrated in the International Covenants on Human Rights,

[3] 'Considering that the disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or belief, have brought, directly or indirectly, wars and great suffering to mankind, especially when manifestations of religion or belief have served and are still serving as a means or as an instrument of foreign interference in the internal affairs of other States and peoples,

[4] 'Considering that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed,

[5] 'Considering it essential that Governments, organizations and private persons should strive to promote through education, as well as by other means, understanding, tolerance and respect in matters relating to freedom of religion and belief, and to combat any exploitation or abuse of religion or belief for political or other ends inconsistent with the purpose and principles of the present Declaration,

[6] 'Noting with satisfaction the adoption of several, and the coming into force of some, conventions under the aegis of the United Nations and of the specialized agencies, for the elimination of various forms of discrimination,

[7] 'Concerned by manifestations of intolerance and by the existence of discrimination in matters of religion or belief still in evidence in some areas of the world,

[8] 'Resolved to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the ground of religion or belief,

[9] 'Convinced that the right to freedom of religion or belief should not be abused so as to impede any measures aimed at the elimination of colonialism and racialism,'

"6. Paragraphs 2 to 9 of the preamble to a draft declaration submitted by the Netherlands representative read as follows:

[2] 'Considering that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the right to freedom of thought, conscience, religion and belief, including the right to manifest one's religion or belief in worship, observance, practice and teaching, as well as the principle of non-discrimination and the right of equality before the law,

[3] 'Considering that the disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or belief, have brought, directly or indirectly, wars and great suffering to mankind, especially when manifestations of intolerance and of discrimination based on religion or belief amount to kindling hatred between peoples and nations,

[4] 'Considering that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed,

[5] 'Considering it essential that Governments, organizations and private persons should strive to promote through education, as well as by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief, and that they should not engage in any activities or perform any acts aimed at the destruction of any of the purposes and principles set forth in the present Declaration,

[6] 'Noting with satisfaction the adoption of several, and the coming into force of some, conventions under the aegis of the United Nations and of the specialized agencies, for the elimination of various forms of discrimination,

[7] 'Concerned by manifestations of intolerance and by the existence of discrimination in matters of religion or belief still in evidence in some areas of the world,

[8] 'Resolved to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the ground of religion or belief,

[9] 'Convinced that the right to freedom of religion or belief should not be abused as a means to pursue or to continue any ideologies or practices of colonialism and racism.'

"Consideration of the second paragraph

"7. Following a discussion on the question whether the points referred to in article 18, paragraph 1, of the International Covenant on Civil and Political Rights should be included in the draft declaration, the representative of the Byelorussian SSR proposed the following revised version of the second paragraph in the text he had submitted:

'Considering that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principles of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion or belief,'

"8. The representative of Ghana proposed the addition of the words 'including the right to choose, manifest and change one's religion or belief' at the end of the paragraph.

"9. The second paragraph of the preamble to a draft declaration, as provisionally adopted by the informal Working Group, reads as follows:

'Considering that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principles of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion and belief, including the right to choose, manifest and change one's religion or belief,'

"10. The representative of Austria expressed reservations concerning the use of the word 'belief'.

"Consideration of the third paragraph

"11. The third part of the sentence, beginning with the words 'especially when manifestations', contained in both texts, gave rise to a long discussion. The representative of Egypt proposed that it should be deleted in both texts and replaced by the following words: 'especially where they serve as a means of foreign interference in the internal affairs of other States and amount to kindling hatred between peoples and nations'.

"12. The third paragraph of the preamble, as provisionally adopted by the informal Working Group, reads as follows:

'Considering that the disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or belief, have brought, directly or indirectly, wars and great suffering to mankind, especially where they serve as a means of foreign interference in the internal affairs of other States and amount to kindling hatred between peoples and nations,'

"Consideration of the fourth paragraph

"13. The identical text submitted by the Byelorussian and Netherlands representatives was provisionally adopted by the informal Working Group.

"14. The representative of the Soviet Union stated that he reserved the right to propose certain amendments to the text adopted when the draft declaration was considered in plenary meeting.

"Consideration of the fifth paragraph

"15. The representative of the Byelorussian SSR submitted the following revised version of the fifth paragraph of the text he had proposed (see para. 5 above):

'Considering that it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion and belief and to ensure that their abuse for political or other ends inconsistent with the purpose and principles of the present Declaration is inadmissible,'

"16. Following a discussion on the use of the words 'for political ends', the representative of Austria proposed that the last part of the revised text submitted by the representative of the Byelorussian SSR, beginning with the words 'their abuse', should be replaced by the words 'the use of religion or belief for ends alien or contrary to the purposes and principles of the present Declaration is inadmissible'.

"17. The informal Working Group was unable to adopt a final text of the fifth paragraph and therefore felt that its consideration should be continued at a later stage of the discussion on the preparation of the draft declaration.

"Consideration of the sixth, seventh and eighth paragraphs

"18. The identical texts submitted by the representatives of the Byelorussian SSR and the Netherlands were adopted provisionally by the informal Working Group.

"Consideration of the ninth paragraph

"19. The representative of the Soviet Union proposed the addition of the following words at the end of the text submitted by the representative of the Byelorussian SSR (see para. 5 above): 'or to endanger international peace, security and co-operation'.

"20. The informal Working Group was unable, for lack of time, to adopt the final text of this paragraph.

"Recommendations

"21. During the discussion, certain representatives expressed the view that the work undertaken should be continued the following year in accordance with the procedure adopted at the Commission's present session. Others, however, felt that it was for the Commission, at its next session, to decide upon the procedure that should be followed in continuing work on the preparation of a draft declaration.

"22. The informal Working Group suggested that the Commission should request the Economic and Social Council to inform the General Assembly that, although the Commission had made some progress, it had not completed its work on the draft declaration and that it intended to accord priority to the drafting of that declaration at its next session."

174. Some representatives expressed disappointment at the relatively slow progress in discussing the draft declaration and it was observed that it might be possible to advance more rapidly if the question were to be discussed in a more formally structured working group. On the other hand, the view was expressed that the Working Group, in adopting seven paragraphs of the preamble, had made some progress and that work on the draft declaration should be continued at the Commission's thirty-second session on the same basis as at the current session.

175. In accordance with the suggestion made by the Working Group, the Commission decided to request the Economic and Social Council to inform the General Assembly that, although the Commission had made some progress, it had not completed its work on the draft declaration and that it intended to accord priority to the drafting of the declaration at its next session.

176. For the decision see chapter XXIII, section B, decision 11(XXXI).

XV. PERIODIC REPORTS ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

177. The Commission considered agenda item 16 at its 1332nd meeting, on 6 March 1975.

178. The Commission had before it the following documents: reports on economic, social and cultural rights for the period 1 July 1969 to 30 June 1973 received from the following 47 Governments: Afghanistan, Austria, Barbados, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, Dahomey, Denmark, Egypt, El Salvador, Fiji, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Guatemala, Hungary, Iraq, Israel, Italy, Jamaica, Japan, Kuwait, Luxembourg, Madagascar, Malaysia, Netherlands, Netherlands Antilles, New Zealand, Norway, Peru, Philippines, Poland, Romania, Rwanda, San Marino, Singapore, Syrian Arab Republic, Thailand, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela and Yugoslavia (E/CN.4/1155 and Add.1-28); reports on economic, social and cultural rights from the following specialized agencies: Food and Agriculture Organization of the United Nations, International Labour Organisation, United Nations Educational, Scientific and Cultural Organization and World Meteorological Organization (E/CN.4/1156 and Add.1 and 2); an analytical summary prepared by the Secretary-General of the reports (E/CN.4/1164 and Add.1); a subject and country index to the reports (E/CN.4/1165 and Corr.1 and Add.1); an up-to-date memorandum on the status of multilateral agreements in the field of human rights concluded under the auspices of the United Nations (E/CN.4/907/Rev.12 and Corr.1); the report of its Ad Hoc Committee on Periodic Reports on the work of its 1975 session (E/CN.4/1167), including, in paragraph 28, a draft resolution recommended for adoption by the Commission; and contributions received under the terms of Economic and Social Council resolution 1074 C (XXXIX) from 13 non-governmental organizations in consultative status.

179. The Chairman Rapporteur of the Ad Hoc Committee on Periodic Reports introduced the report of the Committee on the work of its 1975 session (E/CN.4/1167). The Commission adopted without a vote the draft resolution recommended by the Ad Hoc Committee in paragraph 28 of its report.

180. For the text of the resolution see chapter XXIII, section A, resolution 12(XXXI).

XVI. REPORTS OF THE COMMITTEE ON CRIME PREVENTION AND
CONTROL ON ITS FIRST, SECOND AND THIRD SESSIONS

STUDY OF THE RIGHT OF EVERYONE TO BE FREE FROM ARBITRARY
ARREST, DETENTION AND EXILE, STUDY OF THE RIGHT OF
ARRESTED PERSONS TO COMMUNICATE WITH THOSE WITH WHOM
IT IS NECESSARY FOR THEM TO CONSULT IN ORDER TO
ENSURE THEIR DEFENCE OR TO PROTECT THEIR ESSENTIAL
INTERESTS, AND DRAFT PRINCIPLES ON FREEDOM FROM
ARBITRARY ARREST AND DETENTION

181. The Commission discussed agenda items 11 and 18 together at its 1332nd meeting, held on 6 March 1975.

182. By its resolution 1584 (L) the Economic and Social Council established the Committee on Crime Prevention and Control and decided that it should report to the Commission for Social Development and, as appropriate on particular aspects, to the Commission on Human Rights and the Commission on Narcotic Drugs. The Commission had before it the reports of the Committee on its first session (E/5191), second session (E/CN.5/494) and third session (E/CN.5/516).

183. The item entitled "Study of the right of everyone to be free from arbitrary arrest, detention and exile, study of the right of arrested persons to communicate with those with whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests, and draft principles on freedom from arbitrary arrest and detention" had been deferred from the thirtieth session of the Commission.

184. It was suggested to the Commission by the Chairman that since the General Assembly in its resolution 3218 (XXIX) had made certain requests to organizations and bodies within the United Nations system and had referred certain matters relating to the two items under consideration to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was to meet in Toronto in September 1975, the Commission could defer items 11 and 18 until its next session. Moreover, it was likely that the Commission would be in a better position after the Congress and after the next session of the Committee on Crime Prevention and Control to take appropriate decisions.

185. One representative observed that these two items had been before the Commission for some years and that it would have been desirable for the Commission to discuss them in order to indicate its views on certain matters to the Fifth United Nations Congress. Other members expressed the view that it would be better for the Commission to have the benefit of the proceedings of the Congress before it discussed them.

186. At its 1332nd meeting on 6 March 1975, the Commission decided to defer consideration of these two items until its thirty-second session.

187. For the decision of the Commission, see chapter XXIII, section B, decision 12(XXXI).

XVII. QUESTION OF MEASURES TO BE TAKEN AGAINST IDEOLOGIES
AND PRACTICES BASED ON TERROR OR ON INCITEMENT TO
RACIAL DISCRIMINATION OR ANY OTHER FORM OF GROUP HATRED

188. The Commission considered agenda item 17 at its 1332nd meeting, on 6 March 1975.

189. The General Assembly at its twenty-sixth session had adopted resolution 2839 (XXVI), by which it decided that the question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred would be placed on its agenda and remain under continuing review, and urged other competent organs of the United Nations to do likewise, so that appropriate measures could be taken promptly as required. At its 2201st plenary meeting, on 14 December 1973, the General Assembly decided that the consideration of this question should be deferred until such time as discussion of the item had been concluded in the Commission on Human Rights. At its thirtieth session the Commission, by its decision of 7 March 1974, postponed this item to its thirty-first session.

190. At its 1332nd meeting the Commission decided to postpone further consideration of this item to its thirty-second session.

191. For the text of the decision, see chapter XXIII, section B, decision 12(XXXI).

XVIII. COMMUNICATIONS CONCERNING HUMAN RIGHTS

192. The Secretary-General distributed to the members of the Commission confidential lists of communications (E/CN.4/CCR.66-77), replies of Governments (E/CN.4/GR.74/2/Add.1, E/CN.4/GR.74/3-7, E/CN.4/GR.74/8 and Add.1, E/CN.4/GR.74/9-12, E/CN.4/GR.75/1 and Add.1, E/CN.4/GR.75/2), and a confidential document of a statistical nature (E/CN.4/CCR/Stat.16). A non-confidential list of communications containing a brief indication of the substance of each communication which dealt with principles involved in the promotion of universal respect for and observance of human rights (E/CN.4/CR.45) was also distributed.

XIX. ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION OF MINORITIES

193. In accordance with Economic and Social Council resolution 1334 (XLIV) of 31 May 1968, the Commission at its thirty-first session had to elect the 26 members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities from nominations of experts made by States Members of the United Nations, on the following basis:

From the Afro-Asian group of States: 12 members;

From Western European and other States: 6 members;

From Latin American States: 5 members;

From Eastern European States: 3 members.

194. The three-year term of the previous membership of the Sub-Commission, elected by the Commission on Human Rights at its twenty-eighth session, at the 1179th meeting, had expired in 1974.

195. The Secretary-General had received the following nominations for election to membership in the Sub-Commission: Mr. Mohammed Ahmed Abu Rannat (Sudan), Mr. Gerard Marcel Agboton (Dahomey), Mr. Wisam Al-Zahawi (Iraq), Mr. Lucien Yapobi Attie (Ivory Coast), Mr. Francis Joash Ayume (Uganda), Mr. Bali Ram Bhagat (India), Mr. Abdelwahab Bouhdiba (Tunisia), Mr. Th. C. van Boven (Netherlands), Mr. Simon-Narcisse Bozanga (Central African Republic), Mr. Gregoire Gbenou (Dahomey), Mr. Francesco Capotorti (Italy), Mr. Beverly Carter, Jr. (United States of America), Mr. Aureliu Cristescu (Romania), Mr. I. D. J. Durlong (Nigeria), Mr. Vicente Díaz Samayoa (Guatemala), Mr. Troels Fink (Denmark), Mr. Manouchehr Ganji (Iran), Mr. Jose Ingles (Philippines), Mr. Branimir M. Janković (Yugoslavia), Mrs. Renu Jotidilok (Thailand), Mr. Mohamed Ahmed Khalifa (Egypt), Mrs. Kezia Nyeri Egeria Kinyanjui (Kenya), Mr. Assefa Liben (Ethiopia), Mr. Antonio Martínez Báez (Mexico), Mr. José Ricardo Martínez Cobo (Ecuador), Mr. Ernesto Navarro Richardson (Nicaragua), Mr. Erik Nettel (Austria), Mr. Alexis Obame (Gabon), Mr. Gonzalo Ortiz Martín (Costa Rica), Mrs. Turkia Ould Daddah (Mauritania), Mr. Alexandre Paraiso (Dahomey), Mr. José Joaquín Caicedo Perdomo (Colombia), Mr. Sharifuddin Pirzada (Pakistan), Mrs. Nicole Questiaux (France), Mr. Kunio Sato (Japan), Mr. Kofi Sekyiamah (Ghana), Mr. Freddie A. Short (Sierra Leone), Mr. Sergey N. Smirnov (Union of Soviet Socialist Republics), Mr. Ilhan Unat (Turkey), Mrs. Halima Warzazi (Morocco), Mr. Benjamin Charles George Whitaker (United Kingdom of Great Britain and Northern Ireland).

196. The curricula vitae of the candidates were circulated in documents E/CN.4/1171 and Add.1-5

197. At the Commission's 1332nd meeting, on 6 March 1975, the Chairman announced that the Government of Japan had withdrawn the nomination of Mr. Kunio Sato. At the same meeting the representative of Senegal announced that it had been agreed upon that the twelve members of the Sub-Commission to be elected from the Afro-Asian group would consist of seven Africans and five Asians.

198. At the 1332nd meeting, in accordance with Economic and Social Council resolution 1334 (XLIV), the Commission elected the following persons to serve as members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for a three-year term: Mr. Wisam Al-Zahawi (Iraq), Mr. Bali Ram Bhagat (India), Mr. Abdelwahab Bouhdiba (Tunisia), Mr. Th. C. van Boven (Netherlands), Mr. Francesco Capotorti (Italy), Mr. Beverly Carter, Jr. (United States of America), Mr. Aureliu Cristescu (Romania), Mr. I. D. J. Durlong (Nigeria), Mr. Manouchehr Ganji (Iran), Mr. Branimir M. Janković (Yugoslavia), Mrs. Renu Jotidilok (Thailand), Mr. Mohamed Ahmed Khalifa (Egypt), Mrs. Kezia Nyeri Egeria Kinyanjui (Kenya), Mr. Antonio Martínez Báez (Mexico), Mr. José Ricardo Martínez Cobo (Ecuador), Mr. Ernesto Navarro Richardson (Nicaragua), Mr. Erik Nettel (Austria), Mr. Gonzalo Ortiz Martín (Costa Rica), Mrs. Turkia Ould Daddah (Mauritania), Mr. José Joaquín Caicedo Perdomo (Colombia), Mr. Sharifuddin Pirzada (Pakistan), Mrs. Nicole Questiaux (France), Mr. Kofi Sekyiamah (Ghana), Mr. Freddie A. Short (Sierra Leone), Mr. Sergey N. Smirnov (Union of Soviet Socialist Republics), Mr. Benjamin Charles George Whitaker (United Kingdom of Great Britain and Northern Ireland).

XX. CONSIDERATION OF THE DRAFT PROVISIONAL AGENDA
FOR THE THIRTY-SECOND SESSION OF THE COMMISSION

199. The Commission considered agenda item 23 at its 1332nd meeting, on 6 March 1975. In accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII), a note by the Secretary-General (E/CN.4/L.1288 and Add.1 and 2) containing draft provisional agenda for the thirty-second session of the Commission, indicating the documents to be submitted under each item and the legislative authority for their preparation, was before the Commission.

200. The representative of the Secretary-General, in introducing the item, pointed out that the provisional agenda and the documentation relating thereto might be affected by decisions of the General Assembly and the Economic and Social Council.

201. Several representatives made comments and proposals concerning the items on the draft provisional agenda and their order. The Commission agreed to include as item 7 "The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa", pursuant to its decision in its resolution 3 (XXX), and to include as item 12 "Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission". The revised draft provisional agenda for the thirty-second session as agreed by the Commission was as follows: 14/

1. Election of officers
2. Adoption of the agenda
3. Organization of the work of the session

In the light of relevant resolutions and decisions of the General Assembly, the Economic and Social Council, and the Commission, particularly Council resolution 1694 (LII) of 2 June 1972. Certain Council decisions are set out in document E/INF/134/Rev.1.

4. Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East

This item has been placed on the provisional agenda of the thirty-second session as a matter of high priority, in accordance with Commission resolution 6 A (XXXI).

A note by the Secretary-General drawing the attention of the Commission to certain documents of the General Assembly and/or the Security Council, which may be requested by Member States under this item, and report by the Secretary-General under paragraph 12 of Commission resolution 6 A (XXXI)

14/ An asterisk indicates that the document or report is likely to exceed the 32 pages referred to in Council resolution 1894 (LVII).

5. Question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems relating to human rights in developing countries

By resolution 2 (XXXI), the Commission decided to keep this item on its agenda as a standing item with high priority.

6. The right of peoples to self-determination and its application to peoples under colonial and alien domination

This question will be placed on the provisional agenda of the Commission every year with priority, in accordance with Commission resolution 3 (XXXI).

7. The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa

Relevant parts of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities will be before the Commission under this item.

Legislative authority: Commission resolution 3 (XXX).

8. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories, including:

Annual supplement to document E/4226, listing decisions taken by United Nations bodies during 1975 relevant to the question.

Legislative authority: Economic and Social Council resolution 1102 (XL) of 4 March 1966.

Information which may be submitted by the International Labour Organisation (ILO) and the United Nations Scientific, Educational, Social and Cultural Organization (UNESCO).

Legislative authority: General Assembly resolution 2785 (XXVI) of 6 December 1971.

Report of the Secretary-General requested in paragraph 4 of Commission resolution 4 (XXXI) of 13 February 1975.

Legislative authority: Commission resolution 4 (XXXI).

- (a) Report of the Ad Hoc Working Group of Experts

Interim report of the Ad Hoc Working Group of Experts established under resolution 2 (XXIII) of the Commission on Human Rights.*

Legislative authority: Commission resolution 5 (XXXI).

- (b) Study of situations which reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group established by the Commission at its thirty-first session

Confidential documents, including those of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group and the report of the Working Group established by the Commission at its thirty-first session. *

Legislative authority: Economic and Social Council resolution 1235 (XLII) and 1503 (XLVIII) and Commission decision 7 (XXXI).

9. Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment

Report of the Working Group (with appropriate annexes) established by the Commission at its thirty-first session. *

Legislative authority: Commission resolution 8 (XXXI), subject to the concurrence of the Economic and Social Council.

10. Draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief

Additional comments and suggestions concerning the draft declaration and amendments that may be received from Governments.

Legislative authority: General Assembly resolutions 3069 (XXVIII) and 3267 (XXIX) and Economic and Social Council decision 64 (ORG-75), subparagraph (c).

11. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twenty-eighth session

Report of the Sub-Commission on the work of its twenty-eighth session.*

12. Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission

Analysis of further replies to be received from Member States concerning the long-term programme of work of the Commission, in accordance with Commission resolution 10 (XXXI) adopted on 5 March 1975.

Reports of the Secretary-General * on:

(a) The deliberations and decisions of the General Assembly concerning "Alternative approaches and ways and means within the United Nations system for improving its effective enjoyment of human rights and fundamental freedoms" pursuant to General Assembly resolutions 3136 (XXVIII) and 3221 (XXIX);

(b) The discussions and recommendations of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders relating to the various human rights aspects, with particular reference to General Assembly resolution 3218 (XXIX), as well as the decisions of the General Assembly on the matter;

(c) The discussions and recommendations of the World Food Conference, the World Population Conference and the United Nations Conference on the Human Environment relating to the various aspects of implementation of human rights;

(d) A complete description of the use made of the advisory services programme in all its components (for example, experts, seminars, training courses, fellowships) since the adoption of General Assembly resolution 926 (X), with a view to a more effective utilization of the advisory services programme in the field of human rights in relation to the over-all work of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(e) Ways and means of achieving, within the framework of the Committee on Programme and Co-ordination, intensified co-operation and co-ordination between various organs and secretariat units of the United Nations and of the specialized agencies whose work bears on the enjoyment of various aspects of human rights, with a view to developing the Commission's over-all approach and concern on the question of the realization of economic, social and cultural rights, including the procedures adopted and the results achieved towards further promotion of human rights and fundamental freedoms under the system of periodic reports.

Legislative authority: Commission resolution 10 (XXXI), adopted on 5 March 1975.

In accordance with the decision of the Commission at its thirty-first session, the draft resolution contained in document E/CN.4/L.1285 and the amendments thereto contained in E/CN.4/L.1307 will be before the Commission at its thirty-second session.

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

Relevant chapters of the reports and resolutions of the Sub-Commission at its twenty-seventh and twenty-eighth sessions.

Legislative authority: Economic and Social Council resolution 1871 (LVI) and Commission decision 4 (XXXI).

14. Study of discrimination against persons born out of wedlock, and the draft general principles on equality and non-discrimination in respect of such persons

Further comments and observations on the draft general principles which may be received by the Secretary-General and relevant parts of the report of the Sub-Commission on its twenty-eighth session as requested by Commission resolution 1 (XXXI).

Legislative authority: Economic and Social Council resolution 1787 (LIV) and Commission resolution 1 (XXXI).

15. The role of youth in the promotion and protection of human rights, including:

- (a) The question of conscientious objection to military service
- (b) Channels of communication with youth and international youth organizations: report of the Ad Hoc Advisory Group on Youth

In accordance with the decision of the Commission at its 1331st meeting, on 5 March 1975 to defer this item to the next session, it will be placed on the provisional agenda of the thirty-second session as an item of high priority.

Accordingly, the Commission will have before it at its thirty-second session the documentation which it had before it at its thirty-first session, together with the draft resolution contained in document E/CN.4/L.1310.

Legislative authority: Economic and Social Council resolution 1842 (LVI) and Commission decision 9 (XXXI).

16. Human rights and scientific and technological developments

Analysis of views and observations received under paragraphs 2 and 3 of Commission resolution 2 (XXX).

Legislative authority: Commission resolution 2 (XXX), paragraph 4.

Study of the problems in connexion with human rights arising from developments in science and technology, in particular from the standpoint of the balance that should be established between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity. *

Legislative authority: General Assembly resolution 2450 (XXIII), paragraph 1 (d).

Addenda 1 to 3 to the report of the Secretary-General contained in document E/CN.4/1172 on the protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry. *

Programme of work requested by the General Assembly and the Economic and Social Council for the latter's sixtieth session.

Legislative authority: General Assembly resolution 2450 (XXIII), paragraph 1 (b), General Assembly resolution 3268 (XXIX), and Economic and Social Council decision 64 (ORG-75), paragraph 3 (d).

17. Reports of the Committee on Crime Prevention and Control

Relevant chapters and paragraphs of the reports on the four sessions of the Committee on Crime Prevention and Control will be brought to the attention of the Commission under this item, including relevant material concerning the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Legislative authority: Economic and Social Council resolution 1584 (L).

18. Study of the right of everyone to be free from arbitrary arrest, detention and exile, study of the right of arrested persons to communicate with those with whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests, and draft principles on freedom from arbitrary arrest and detention

The analytical summary of information, observations and comments to be received from Member States under General Assembly resolution 3218 (XXIX) for submission to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders will be made available to the Commission at its thirty-second session.

Legislative authority: Commission resolution II of the twelfth session; Economic and Social Council resolution 624 B (XXII) and General Assembly resolution 3218 (XXIX).

19. Question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred

At its 2201st plenary meeting, on 14 December 1973, the General Assembly decided that the consideration of this question should be deferred until such time as discussion of the item had been concluded in the Commission on Human Rights.

20. Advisory services in the field of human rights

Report of the Secretary-General on the programme of advisory services in the field of human rights.

Legislative authority: General Assembly resolution 926 (X) and Economic and Social Council resolutions 684 (XXVI) and 1008 (XXXVII).

21. Communications concerning human rights

Confidential and non-confidential lists of communications and documents containing the replies of Governments to communications furnished to them and a confidential document of a statistical nature.

Legislative authority: Economic and Social Council resolution 728 F (XXVIII) and Commission resolutions 14 (XV) and 15 (XV).

22. Draft provisional agenda for the thirty-third session of the Commission

Note by the Secretary-General containing draft provisional agenda for the thirty-third session of the Commission, together with information concerning documentation relating thereto.

Legislative authority: Economic and Social Council resolution 1894 (LVII).

23. Report to the Economic and Social Council on the thirty-second session of the Commission

Legislative authority: Rule 38 of the rules of procedure of the functional commissions.

Documents to be brought to the attention of the Commission:

Further periodic reports on economic, social and cultural rights received from Governments under Economic and Social Council resolution 1596 (L) will be made available to the members of the Commission. *

Information received from regional intergovernmental bodies, in accordance with Economic and Social Council resolution 1159 (XLI), will be made available to the members of the Commission. *

XXI. PLACE OF MEETING OF THE NEXT SESSION OF THE COMMISSION

202. At its 1335th meeting, on 7 March 1975, the representative of the United Republic of Tanzania suggested that the Commission should hold its next session at Geneva. It was stated that the Division of Human Rights was now located in the Palais des Nations and that some economy might be realized by holding the session there. On the other hand, it was pointed out that the Economic and Social Council had established a pattern whereby the Commission's sessions were held alternately at Geneva and New York and that the tentative calendar of meetings for 1976 provided for the Commission to hold its thirty-second session at United Nations Headquarters in New York. The idea of gradually moving away from the traditional pattern of meetings was brought up. It was suggested that meetings might perhaps be held at regional economic commission headquarters, and one speaker referred to the possibility of holding a session in Vienna.

203. After some discussion, the representative of Iraq made a formal proposal that the Commission should recommend that the Economic and Social Council empower the Commission on Human Rights to hold its thirty-second session at Geneva. At the request of the representative of Peru, a roll-call vote was taken on the Iraqi proposal, which was adopted by 12 votes to 4, with 13 abstentions. The voting was as follows:

In favour: Egypt, France, Ghana, India, Iran, Iraq, Pakistan, Senegal, Sierra Leone, Tunisia, Turkey, United Republic of Tanzania

Against: Costa Rica, Ecuador, Panama, Peru

Abstaining: Austria, Bulgaria, Byelorussian Soviet Socialist Republic, Cyprus, Germany (Federal Republic of), Italy, Netherlands, Nicaragua, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia, Zaire

204. For the text of the draft decision see chapter I, section B, draft decision 5.

XXII. ADOPTION OF THE REPORT

205. At its 1333rd to 1335th meetings, on 6 and 7 March 1975, the Commission discussed its draft report on the work of its thirty-first session. The draft report as amended in the course of the discussion, was adopted unanimously.

XXIII. RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION
AT ITS THIRTY-FIRST SESSION

A. Resolutions

- 1 (XXXI). Study of discrimination against persons born out of wedlock, and the draft general principles on equality and non-discrimination in respect of such persons 15/

The Commission on Human Rights,

Having taken note of the draft general principles on equality and non-discrimination in respect of persons born out of wedlock prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Considering the desirability of discussing and perhaps taking into account the observations on this question made by Governments and various bodies, including those made by the Commission at its thirty-first session,

1. Expresses to the Sub-Commission on Prevention of Discrimination and Protection of Minorities its satisfaction with the work done by the Sub-Commission;
2. Requests the Sub-Commission to consider further the draft general principles on equality and non-discrimination in respect of persons born out of wedlock, in the light of the replies received from Governments, of the comments made by other United Nations bodies, the specialized agencies and non-governmental organizations and of the summary records of the discussion of this question by the Commission on Human Rights at its thirty-first session, and to submit the results of its work to the Commission on Human Rights at its thirty-second session in such form (recommendations, statements) as it considers appropriate.

- 2 (XXXI). Question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems relating to human rights in developing countries 16/

The Commission on Human Rights,

Considering the importance for the international community of the realization of all economic, social and cultural rights,

Decides to keep this item on the agenda of the Commission as a standing item with high priority.

15/ Adopted at the 1297th meeting, on 7 February 1975, without a vote.
See chap. IV, paras. 27 and 28.

16/ Adopted at the 1299th meeting, on 10 February 1975, without a vote.
See chap. V, para. 35.

- 3 (XXXI). Question of the realization of the right of peoples to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, taking into account in particular the promotion and protection of human rights and fundamental freedoms 17/

The Commission on Human Rights,

Recalling its resolutions 4 (XXX) and 5 (XXX) (endorsed by Economic and Social Council resolutions 1865 (LVI) and 1866 (LVI) respectively), in which it on the one hand authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to designate at its twenty-seventh session a special rapporteur from among its members to carry out a study of the right of peoples to self-determination in accordance with its resolution 5 (XXVI) and on the other invited the Sub-Commission to appoint a special rapporteur to analyse the report of the Secretary-General on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination and to make recommendations to the Commission at its thirty-second session with regard to the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination,

Taking note of resolutions 3 (XXVII) and 4 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted in pursuance of Commission resolutions 4 (XXX) and 5 (XXX) and appointing special rapporteurs,

Considering the particular importance for the realization of human rights of the application of the principle of the right of peoples to self-determination,

1. Takes note of the decisions adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities;
2. Invites the Sub-Commission to ask the Special Rapporteur on "the historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms" to submit his final report to the Sub-Commission at its thirtieth session, so that it can be placed before the Commission at its thirty-fourth session;
3. Decides to place the question of "The right of peoples to self-determination and its application to peoples under colonial and alien domination" on its agenda every year with priority.

17/ Adopted at the 1300th meeting, on 11 February 1975, without a vote. See chap. VI, paras. 44 and 45.

- 4 (XXXI). Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories 18/

The Commission on Human Rights,

Guided by the principles and purposes of the Charter of the United Nations,

Mindful of the Universal Declaration of Human Rights and the relevant international instruments in particular the provisions of the Geneva Conventions of August 1949,

Bearing in mind General Assembly resolution 3212 (XXIX),

Alarmed by the continuation of the Cyprus crisis,

Gravely concerned by the continuation of human suffering in Cyprus,

Expressing the hope that negotiation now under way in Cyprus and referred to in paragraph 4 of General Assembly resolution 3212 (XXIX) will also help to alleviate human suffering in the island,

1. Calls upon all parties concerned to adhere strictly to the principles of the United Nations Charter, international instruments in the field of human rights, and the relevant resolutions of the General Assembly and the Security Council and to work towards the full restoration of human rights to the population of Cyprus and to undertake urgent measures for the return of all refugees to their homes in safety;

2. Calls for the intensification of efforts aimed at tracing and accounting for missing persons;

3. Expresses its support for the General Assembly's request to the Secretary-General to continue to lend his good offices to the parties concerned and to provide United Nations humanitarian assistance to all parts of the population in Cyprus;

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

18/ Adopted at the 1305th meeting, on 13 February 1975, without a vote.
See chap. VIII, paras. 64 and 65.

5 (XXXI). Report of the Ad Hoc Working Group of Experts^{19/}

The Commission on Human Rights,

Recalling its resolution 2 (XXIII), in which it established the Ad Hoc Working Group of Experts, its resolutions 21 (XXV), 8 (XXVI), 7 (XXVII), 2 (XXVIII) and 19 (XXIX), in which it extended and enlarged the mandate of the Working Group, and its resolution 7 (XXX) dealing with the activities of the Working Group,

Recalling General Assembly resolution 2906 (XXVII), by which the Assembly decided to launch the Decade for Action to Combat Racism and Racial Discrimination on 10 December 1973,

Recognizing the contribution of the reports of the Ad Hoc Working Group of Experts to the continuing efforts of the United Nations to investigate and thus expose the gross and flagrant violations of human rights in southern Africa and in the African territories under Portuguese administration, with a view to bringing about needed changes,

Having examined the report of the Ad Hoc Working Group of Experts (E/CN.4/1159),

Noting with satisfaction that during the mandate of the Working Group important political changes affecting the territories under Portuguese domination have taken place, in particular, that Portugal has officially recognized the independence of Guinea-Bissau and has initiated steps leading to the independence of Mozambique and Angola,

Deeply concerned about the continued deplorable situation in southern Africa regarding gross denials of human rights to the African population, as well as the brutal and inhuman treatment meted out to political prisoners in that part of the continent,

1. Considers that the policy of apartheid and racial discrimination of the Government of South Africa is incompatible with the principles of the Charter of the United Nations and constitutes a serious violation of the obligations flowing from the status of a Member of the United Nations;

2. Deplores that in South Africa:

(a) The slavery-like institutions of private and farm gaols are some of the characteristics of the apartheid system;

(b) The homelands policy is a means of hindering self-determination;

(c) Transit camps have been enlarged and constitute the most inhuman method of population movement and restriction of freedom of movement in modern times;

(d) Discrimination among students according to race is another feature of the apartheid policy;

^{19/} Adopted at the 1306th meeting, on 14 February 1975, without a vote. See chap. VIII, paras. 83-89. See also annex IV, paras. 4-6.

3. Deplores further:

(a) That in Namibia there is not the slightest sign that South Africa is giving up its illegal occupation of that Territory, which is under United Nations supervision; that public floggings have become a shocking feature of the punishment of opponents of the apartheid policy; and that fair trial for political detainees is not guaranteed;

(b) That with regard to Southern Rhodesia, there is no real change in the policy of the racist minority régime; that the number of political prisoners and captured freedom fighters has increased; and that mass population removals go on and the system of "protected villages" and "no go areas" has been created;

4. Recommends that the attention of South Africa should be drawn once again to the recommendations contained in the current and previous reports of the Working Group;

5. Recommends that the Government of the United Kingdom, as the administering Power of Southern Rhodesia, should intercede with the authorities in Southern Rhodesia and take up cases of persons sentenced to death in order that their execution will be stopped and institute an inquiry into the summary execution of captured freedom fighters and into the deaths that have occurred in suspicious circumstances of prisoners in prisons and at police stations;

6. Demands the release from detention of all political prisoners in southern Africa and the implementation of the principle of the right of self-determination;

7. Recommends that freedom of peaceful assembly and of speech should be restored for all;

8. Requests the United Nations Commissioner for Namibia to take into account the recommendations of the Ad Hoc Working Group and in particular to expose the public flogging of opponents of apartheid and to organize a world-wide seminar devoted exclusively to the large-scale violations of human rights that are taking place daily in Namibia;

9. Requests the Secretary-General to transmit the conclusions and recommendations arising out of the investigations in 1973 and 1974 to the Ministers of Foreign Affairs of Member States with the appeal of the Commission that their respective parliaments be informed about the findings of the Working Group;

10. Requests the Secretary-General to consider the possibility of organizing at a suitable location in southern Africa a symposium for the purpose of considering the questions referred to in paragraph 20 of the conclusions and recommendations of the current report of the Group (E/CN.4/1159);

11. Invites international trade unions to concert their views in order to use their power to influence South Africa to abandon its apartheid and racist policies and particularly to concert their policies against those who extend to South Africa, directly or indirectly, military, economic, political and other forms of assistance;

12. Decides that the Ad Hoc Working Group of Experts, whose membership shall be constituted by the Chairman of the Commission,^{20/} should continue carefully to observe and survey further developments concerning the policy of apartheid and racial discrimination present in the situation prevailing in Namibia and Southern Rhodesia;

13. Requests the Group to study the private goal and farm goal systems, the development of the separate homelands policy and its effects on the right to self-determination, as well as the farm labour system in the Republic of South Africa;

14. Requests the Group to study the consequences of apartheid as regards the African family and to inquire into the particular difficulties of the student movements in South Africa and Namibia;

15. Requests the Group to submit a report on its findings to the Commission not later than at the Commission's thirty-third session and to present an interim report to the Commission at its thirty-second session;

16. Recommends to the Economic and Social Council to request the Secretary-General to appeal to the United Nations Commissioner for Namibia to establish appropriate collaboration with the Ad Hoc Working Group of Experts;

17. Recommends to the Economic and Social Council and the General Assembly to make arrangements for adequate and sufficient financial resources and staff to be provided to the Ad Hoc Working Group of Experts in order to enable it to carry out its mandate;

18. Invites the Economic and Social Council to request the Secretary-General to give wide publicity to the report of the Ad Hoc Working Group of Experts (E/CN.4/1159);

19. Recommends that the Economic and Social Council adopt the following draft resolution:

[For the text, see chapter I, section A draft resolution I.]

6 (XXXI). Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East

A^{21/}

The Commission on Human Rights,

Guided by the principles and purposes of the Charter of the United Nations, as well as the principles and provisions of the Universal Declaration of Human Rights and the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,^{22/}

^{20/} For the composition of the Ad Hoc Working Group of Experts see chap. VIII, para. 90, above.

^{21/} Adopted at the 1315th meeting, on 21 February 1975, by 22 votes to 1, with 9 abstentions. See chap. VII, paras. 54, 55 and 57.

^{22/} United Nations, Treaty Series, vol. 75, p.287.

Recalling the pertinent United Nations resolutions on the situation in the occupied territories and the protection of the human rights and fundamental freedoms of the inhabitants of the occupied Arab territories, and in particular General Assembly resolutions 3236 (XXIX), 3240 (XXIX) and 3336 (XXIX),

Taking into account that the General Assembly has reaffirmed, in resolution 3236 (XXIX), the inalienable rights of the Palestinian people in Palestine, including:

- (a) The right to self-determination without external interference,
- (b) The right to national independence and sovereignty,

Taking note of the reports of the United Nations and other international humanitarian organizations on the situation of the occupied Arab territories and their inhabitants, in particular the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/9817),

Greatly alarmed by the continuation of the violations of human rights and fundamental freedoms by Israel in the occupied Arab territories, in particular the continued occupation of these territories and the measures aiming at annexation as well as the continuing destruction of houses, expropriation of Arab properties and ill-treatment of prisoners,

Deeply concerned over Israel's persistence in establishing settlements in the occupied Arab territories, implementing massive programmes of immigration, continuing the deportation and transfer of the indigenous population and refusing their return,

Recalling also resolution IX adopted by the International Labour Conference at its fifty-ninth session, in 1974, which declares that any military occupation of territory constitutes in itself a permanent violation of basic human rights and fundamental freedoms and in particular of trade union and social rights,

Noting the conclusion of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories that the Israeli occupying forces were responsible for the deliberate and total destruction of Quneitra and that this constituted a violation of article 53 of the fourth Geneva Convention of 12 August 1949 and fell within the scope of article 147 of that Convention,

Seriously concerned that the population of the occupied Arab territories are hindered in the exercise of their inalienable rights to national education and cultural life,

Taking into consideration that the General Assembly has adopted resolution 3314 (XXIX), which qualifies as an act of aggression the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof,

1. Deplores Israel's continued grave violations, in the occupied Arab territories, of the basic norms of international law and of the relevant international conventions, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which have been considered by the Commission on Human Rights as war crimes and an affront to humanity, as well as its persistent defiance of the relevant resolutions of the United Nations and its continued policy of violating the basic human rights of the inhabitants of the occupied Arab territories;

2. Reaffirms the inalienable right of the Arab people to return to their homes and property from which they have been displaced and uprooted and calls for their return,

3. Reaffirms also that Israel's policy of settling parts of its population and new immigrants in the occupied territories is a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of the United Nations resolutions and urges all States to refrain from any action that might be exploited by Israel in carrying out its policy of colonizing the occupied territories;

4. Reaffirms further that all measures taken by Israel to exploit the human, natural and all other resources and wealth of the occupied Arab territories infringe upon the permanent sovereignty of the Arab people over their natural resources and calls upon Israel immediately to rescind all such measures and to compensate and make full restitution for the exploitation and depletion of their human and natural resources;

5. Reaffirms that military occupation of territory constitutes a grave threat to international peace and security and is in itself a permanent violation of the Charter of the United Nations and of the Universal Declaration of Human Rights;

6. Declares that Israel's policy of annexation, establishment of settlements and transfer of an alien population to the occupied territories is in contravention of the purposes and principles of the Charter of the United Nations, the principles and provisions of international law, the principles of sovereignty and territorial integrity and the basic human rights and fundamental freedoms of the people;

7. Further declares that all measures taken by Israel to change the physical character, the demographic structure and the status of occupied Arab territories are null and void;

8. Censures in the strongest terms all measures taken by Israel to change the status of Jerusalem;

9. Condemns Israel for its deliberate destruction and devastation of the town of Quneitra and considers these acts as a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

10. Calls upon Israel once more to comply with its obligations under the Charter of the United Nations and the Universal Declaration of Human Rights to acknowledge and abide by its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War and to implement all the relevant United Nations resolutions;

11. Calls upon all States to do their utmost to ensure that Israel respects the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and that it desists from all acts and policies aimed at colonizing and changing the physical character and demographic composition of the occupied Arab territories, particularly through the establishment of settlements and the deportation and transfer of the indigenous inhabitants;

12. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, specialized agencies and regional intergovernmental organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its next session;

13. Decides to place on the provisional agenda of its thirty-second session, as a matter of high priority, the item entitled "Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East".

B²³/

The Commission on Human Rights,

Guided by the principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights as well as the other related international instruments,

Deeply concerned over Israel's continued policies and practices of suppressing the inhabitants of the occupied Arab territories in their struggle to attain their inalienable rights, entailing arbitrary imprisonment and inhumane treatment, which did not even spare religious personalities such as Archbishop Capucci, Archbishop of the Greek Catholic Church in the occupied Arab West Bank,

1. Deplores the policies and practices of desecration of Moslem and Christian shrines, disrespect and ill-treatment of religious leaders and violations of rights of worship in the Arab territories occupied by Israel;

2. Calls upon Israel to ensure freedom of worship and accord the esteem, regard and protection due to the religious shrines and personalities in accordance with the established traditions in the region, particularly in Jerusalem, which have been fully respected by all authorities throughout the centuries;

3. Further calls upon Israel to rescind its aforementioned policies and release immediately Archbishop Capucci.

23/ Adopted at the 1315th meeting, on 21 February 1975, by 21 votes to 6, with 5 abstentions. See chap. VII, paras. 54, 56 and 57.

- 7 (XXXI). Study of situations which reveal a consistent pattern of gross violations of human rights: written and oral statements by non-governmental organizations in consultative status concerning human rights 24/

The Commission on Human Rights,

Recommends the following draft resolution for adoption by the Economic and Social Council:

[For the text, see chapter I, section A, draft resolution II.]

- 8 (XXXI). Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment 25/

The Commission on Human Rights,

Keeping in mind the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling its telegram dated 1 March 1974 to the Chilean authorities, taking into account the appeal made to the Chilean authorities by the Economic and Social Council in its resolution 1873 (LVI) of 17 May 1974, noting resolution 8 (XXVII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, aware of the appeals made to the Chilean authorities by the International Labour Conference at its fifty-ninth session and by the General Conference of United Nations Educational, Scientific and Cultural Organization at its eighteenth session and recalling General Assembly resolution 3219 (XXIX), in which an urgent appeal was made to Chile to restore basic human rights and fundamental freedom,

Noting with serious concern the continuing reports of violations of human rights in Chile,

Noting further the statements made on item 7 of the agenda of the thirty-first session of the Commission on Human Rights,

1. Decides that an Ad Hoc Working Group of five members of the Commission,^{26/} to be appointed in their personal capacity by the Chairman of the Commission on Human Rights and to operate under his chairmanship, shall inquire into the present situation of human rights in Chile on the basis of the above-mentioned resolutions and of a visit to Chile and of oral and written evidence to be gathered from all relevant sources;

^{24/} Adopted at the 1317th meeting, on 24 February 1975, by 22 votes to 4, with 6 abstentions. See chap. VIII, para. 69.

^{25/} Adopted at the 1323rd meeting, on 27 February 1975, without a vote. See chap. IX, paras. 105-110. See also annex IV, paras. 7-10.

^{26/} For the composition of the Ad Hoc Working Group see chap. IX, para. 111, above.

2. Appeals to the Government of Chile to extend its full co-operation to the Working Group in fulfilling its task, including the granting of all necessary facilities and complete freedom of movement in the country for this purpose;
3. Requires the Ad Hoc Working Group to report the results of its inquiries to the Commission on Human Rights at its thirty-second session and to submit a progress report on its findings to the Secretary-General for inclusion in his report to the General Assembly at its thirtieth session under General Assembly resolution 3219 (XXIX); thereafter the Ad Hoc Working Group shall cease to exist;
4. Requests the Secretary-General to render to the Ad Hoc Working Group all the assistance which it might require in its work;
5. Recommends to the Economic and Social Council to make arrangements for the provision of adequate financial resources and staff for the implementation of the present resolution;
6. Decides to consider at its thirty-second session as a matter of high priority the question of the violations of human rights in Chile.

9 (XXXI). Representation of the Commission on Human Rights at the World Conference of the International Women's Year 27/

The Commission on Human Rights,

Recalling that 1975 is the International Women's Year,

Recommends to the Economic and Social Council that it adopt the following draft resolution:

[For the text, see chapter I, section A, draft resolution III.]

10 (XXXI). Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission 28/

The Commission on Human Rights,

Recalling its resolution 10 (XXX) on the Commission's long-term programme of work, as well as Economic and Social Council resolution 1694 (LII),

27/ Adopted at the 1327th meeting, on 3 March 1975, without a vote. See chap. X, paras. 124-126. See also annex IV, paras. 11 and 12.

28/ Adopted at the 1330th meeting, on 5 March 1975, by 24 votes to none, with 3 abstentions. See chap. X, paras. 127-136.

Noting that only a small number of Member States have sent replies on this question at the request of the Secretary-General and also noting the analysis of these replies prepared by the Secretary-General (E/CN.4/1168 and Add.1),

Bearing in mind that in elaborating a long-term programme of work for the Commission on Human Rights it is necessary to take into consideration the views of the widest possible number of Member States,

1. Requests the Secretary-General to invite Member States which have not yet done so to send their views or suggestions concerning the long-term programme of work of the Commission;
2. Requests the Secretary-General to submit to the Commission at its thirty-second session an analysis of the further replies received from Member States concerning the long-term programme of work of the Commission;
3. Requests the Secretary-General, taking into account the need for establishing a unified long-term programme of work in the field of human rights, to submit to it at its thirty-second session reports on the following matters:
 - (a) The deliberations and decisions of the General Assembly concerning "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" pursuant to General Assembly resolutions 3136 (XXVIII) and 3221 (XXIX);
 - (b) The discussions and recommendations of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders relating to the various human rights aspects, with particular reference to General Assembly resolution 3218 (XXIX), as well as the decisions of the General Assembly on the matter;
 - (c) The discussions and recommendations of the World Food Conference, the World Population Conference and the United Nations Conference on the Human Environment relating to the various aspects of implementation of human rights;
 - (d) A complete description of the use made of the advisory services programme in all its components (for example, experts, seminars, training courses, fellowships) since the adoption of General Assembly resolution 926 (X), with a view to a more effective utilization of the advisory services programme in the field of human rights in relation to the over-all work of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities;
 - (e) Ways and means of achieving, within the framework of the Committee on Programme and Co-ordination, intensified co-operation and co-ordination between various organs and secretariat units of the United Nations and of the specialized agencies whose work bears on the enjoyment of various aspects of human rights, with a view to developing the Commission's over-all approach and concern on the question of the realization of economic, social and cultural rights, including the procedures adopted and the results achieved towards further promotion of human rights and fundamental freedoms under the system of periodic reports;

4. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to draw up a five-year programme of its work, in particular by establishing a calendar for the various studies undertaken and taking into account the continuing tasks assigned to it;

5. Decides to consider thoroughly and comprehensively and with priority at its thirty-second session the question of the long-term programme of work of the Commission, taking into account the reports to be submitted to the Commission in accordance with its resolution 10 (XXX) and with the present resolution.

11 (XXXI). Human rights and scientific and technological developments 29/

The Commission on Human Rights,

Recalling General Assembly resolutions 2450 (XXIII), 2721 (XXV), 3026 (XXVII), 3150 (XXVIII) and 3268 (XXIX) and its own resolutions 10 (XXVII) and 2 (XXX) on human rights and scientific and technological developments,

Noting the Secretary-General's statement on the Secretariat's work programme on these matters,

Noting the subsequent documents issued by the Secretary-General prior to the Commission's thirty-first session concerning uses of electronics which may affect the rights of the person and the limits that should be placed on such uses in a democratic society (E/CN.4/1142 and Corr.1 and Add.1 and 2) and some aspects of protection of the human personality and its physical and intellectual integrity in the light of advances in biology, medicine and biochemistry (E/CN.4/1172 and Corr.1),

Noting also the various resolutions and reports of specialized agencies in the above-mentioned spheres,

Desirous that the Commission should have available, at its thirty-second session, information on the Secretary-General's most recent work in connexion with the implementation of the above resolutions and the replies of Governments pursuant to paragraph 2 of General Assembly resolution 3268 (XXIX),

1. Requests the Secretary-General to achieve, as soon as possible, the full implementation of the resolutions adopted on this subject by the General Assembly and the Commission on Human Rights, as listed in document E/CN.4/L.1287, and to make available to the Commission at its thirty-second session an updated version of that document as well as the deliberations of the Committee on Science and Technology for Development and the Advisory Committee on the Application of Science and Technology to Development, as referred to in paragraph 3 of General Assembly resolution 3268 (XXIX);

29/ Adopted at the 1331st meeting, on 5 March 1975, by 21 votes to none, with 5 abstentions. See chap. XII, paras. 159-162.

2. Decides:

(a) To give priority at its thirty-second session to the consideration of the question of scientific and technological developments in so far as they concern human rights, with a view to examining all the relevant documents, including the most recent ones;

(b) Without prejudice to the continuation of the study of the other questions referred to in the above-mentioned resolutions of the General Assembly and the Commission on Human Rights, to draw up a programme of work, in pursuance of paragraph 5 of General Assembly resolution 3268 (XXIX), taking into account the reports of the Secretary-General, the replies of Governments and other relevant sources and relating in particular to the definition of standards in areas which might appear to have been sufficiently analysed,

(c) To transmit this work programme to the Economic and Social Council at its sixtieth session.

12 (XXXI). Periodic reports on economic, social and cultural rights 30/

The Commission on Human Rights,

Having considered, with the assistance of its Ad Hoc Committee on Periodic Reports on Human Rights, the reports on economic, social and cultural rights for the period 1 July 1969 to 30 June 1973 received from States Members of the United Nations or members of specialized agencies and from specialized agencies, as well as information received from non-governmental organizations in consultative status, in accordance with Economic and Social Council resolution 1074 C (XXXIX) of 28 July 1965 (E/CN.4/1155 and Add.1-28, E/CN.4/1156 and Add.1 and 2),

Noting with appreciation the analytical summary of the periodic reports on economic, social and cultural rights (E/CN.4/1164 and Add.1), the subject and country index of these reports (E/CN.4/1165 and Corr.1 and Add.1) and the memorandum on the status of multilateral treaties in the field of human rights concluded under the auspices of the United Nations (E/CN.4/907/Rev.12 and Corr.1), prepared by the Secretary-General,

Recalling Economic and Social Council resolution 1596 (L) of 21 May 1971, in which the Council decided that Member States would henceforth be asked to submit periodic reports once every two years in a continuing six-year cycle, instead of every year, as had been the case under Council resolution 1074 C (XXXIX),

1. Notes with satisfaction the encouraging number of reports received and expresses the hope that the participation of Governments in the reporting system will continue to increase;

30/ Adopted at the 1332nd meeting, on 6 March 1975, without a vote. See chap. XV, para. 179.

2. Calls upon all Governments of Member States to participate in the reporting system;

3. Recommends that Governments provide more detailed information in their periodic reports on difficulties which they have experienced in ensuring the full enjoyment of human rights, and on the methods and measures which were applied to overcome such difficulties;

4. Recommends to Governments and to specialized agencies the usefulness of:

(a) Submitting concise and precise reports;

(b) Following as closely as possible in their reports the outline of headings furnished by the Secretary-General, and concentrating on information relevant to the reporting period and the provisions of Economic and Social Council resolution 1074 C (XXXIX);

5. Commends the notable efforts made by reporting Governments with different economic and social systems and material resources to promote the enjoyment of economic, social and cultural rights by increasing numbers of their population, in accordance with the standards set forth in relevant international instruments;

6. Notes the importance of all persons concerned being made aware of the services and benefits available to them under national legislation relating to the enjoyment of economic, social and cultural rights and invites Governments to disseminate information on these rights, services and benefits;

7. Considers that, on the basis of the information contained in the reports on economic, social and cultural rights, attention can be drawn to the following:

(a) The significant influence on national legislation and policies of international instruments adopted under the auspices of the United Nations and the specialized agencies, in particular as regards the improvement of conditions of employment and standards of living and the elimination of all forms of discrimination;

(b) The importance of creating at the national level adequate socio-economic conditions as a prerequisite for the realization of economic, social and cultural rights;

(c) Constitutional and legislative measures taken by an increasing number of Governments to provide a greater number of people with the right to work and the right to social security;

(d) The adoption of legislation by Governments to ensure the right to rest and leisure;

(e) The increased emphasis of Governments on the provision of adequate food and proper housing;

(f) New legislation for the protection and improvement of the human environment;

(g) The increased concern of Governments for the improvement of the standard of health and the adoption of appropriate legislation for this purpose;

(h) Measures taken by Governments to provide more effective medical services and to ensure the healthy development of the child;

(i) The useful role of international co-operation in controlling narcotics;

(j) The fact that more Governments are reporting the institution of free and compulsory primary education;

8. Appreciates the reports submitted by the specialized agencies and the comments submitted by non-governmental organizations and commends their important contribution to economic, social and cultural rights;

9. Recommends that those States which have not yet ratified or acceded to the International Covenant on Economic, Social and Cultural Rights accelerate to the extent possible their internal procedures leading to ratification or accession, in order to strengthen the role of the United Nations in the promotion of economic, social and cultural rights.

B. Decisions

1 (XXXI). Admission to observer status of the national liberation movements recognized by the Organization of African Unity 31/

The Commission approved the request made by the Organization of African Unity that representation with observer status should be accorded at the thirty-first session of the Commission to the African National Congress, the African National Council of Zimbabwe, the Pan Africanist Congress of Azania (South Africa) and the South West Africa People's Organization.

2 (XXXI). Admission to observer status of the Palestine Liberation Organization 32/

The Commission approved the request made by the League of Arab States that representation with observer status be accorded at the thirty-first session of the Commission to the Palestine Liberation Organization.

3 (XXXI). Summary records of the Commission 33/

The Commission decided that, beginning with its thirty-second session, it would dispense with summary records for procedural matters.

31/ Adopted at the 1290th meeting, on 3 February 1975, by 24 votes to none, with 3 abstentions.

32/ Adopted at the 1290th meeting, on 3 February 1975, by 23 votes to 1, with 5 abstentions.

33/ Adopted at the 1293rd meeting, on 5 February 1975, without a vote.

4 (XXXI). Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live 34/

The Commission, having considered agenda item 13 and noted that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 10 (XXVII), had entrusted Baroness Elles with the task of preparing a report supplementing the study on the applicability of existing international provisions for the protection of human rights to individuals who are not citizens of the country in which they live, decided to defer consideration of the item to its thirty-second session, when it would be in a position to examine the contents of that report.

5 (XXXI). Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twenty-seventh session 35/

The Commission took note of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twenty-seventh session (E/CN.4/1160).

6 (XXXI). Expression of appreciation to the outgoing members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 36/

The Commission resolved to express its appreciation of the work done by the outgoing members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

7 (XXXI). Study of situations which reveal a consistent pattern of gross violations of human rights 37/

(a) The Commission decided to request the Secretary-General to address a communication on its behalf to Governments, appealing to them to continue to co-operate with the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities by sending their observations as soon as possible in any copies of communications forwarded to them under Economic and Social Council resolution 728 F (XXVIII) or by complying with any request made to them for their observations on communications under Council resolution 1503 (XLVIII).

34/ Adopted at the 1296th meeting, on 6 February 1975, without a vote. See chap. III, para. 14.

35/ Adopted at the 1296th meeting, on 6 February 1975, without a vote. See chap. II, para. 8.

36/ Adopted at the 1297th meeting, on 7 February 1975, without a vote. See chap. II, para. 8.

37/ Adopted at the 1317th meeting (closed), on 24 February 1975. Decisions (a) and (d) were adopted without a vote; three members did not participate in the adoption of the decisions on these points. Decision (b) was adopted by 28 votes to 3, with 1 abstention; decision (c) was adopted by 28 votes to 3. See chap. VIII, para 71.

(b) The Commission recommended that the Economic and Social Council request the Secretary-General to furnish the monthly list of communications forwarded to members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities under paragraph 4 (a) of Council resolution 1503 (XLVIII) also to the members of the Commission on Human Rights every month.

(c) The Commission decided to set up a working group composed of five members of the Commission 38/ to examine situations referred to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities under Council resolution 1503 (XLVIII), to meet a week before the thirty-second session of the Commission.

(d) The Commission decided to commend the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group on the painstaking manner in which they had considered the communications concerning human rights brought to their attention.

8 (XXXI). Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission 39/

The Commission decided to postpone consideration of draft resolution E/CN.4/L.1285 and the amendments thereto (E/CN.4/L.1307) to its thirty-second session and to give it high priority.

9 (XXXI). The role of youth in the promotion and protection of human rights 40/

The Commission decided to defer item 10 and the consideration of draft resolution E/CN.4/L.1310 to its thirty-second session and to give the item high priority.

10 (XXXI). Advisory services in the field of human rights 41/

The Commission took note of the reports of the Secretary-General (E/CN.4/1136 and E/CN.4/1169).

38/ For the composition of the Working Group see chap. VIII, para. 73.

39/ Adopted at the 1330th meeting, on 5 March 1975. See chap. X, paras. 116-122.

40/ Adopted at the 1331st meeting, on 5 March 1975. See chap. XI, paras. 149-151.

41/ Adopted at the 1331st meeting, on 5 March 1975. See chap. XIII, para. 167.

11 (XXXI). Draft Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief 42/

The Commission decided to ask the Economic and Social Council to inform the General Assembly that, although the Commission on Human Rights had made some progress, it had not completed its work on the draft Declaration and that it intended to accord priority to the drafting of that Declaration at its thirty-second session.

12 (XXXI). Postponement of items on the agenda to the thirty-second session of the Commission 43/

The Commission decided to postpone to its thirty-second session consideration of the following items of its agenda:

Reports of the Committee on Crime Prevention and Control on its first, second and third sessions [item 11]

Question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred [item 17]

Study of the right of everyone to be free from arbitrary arrest, detention and exile, study of the right of arrested persons to communicate with those with whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests, and draft principles on freedom from arbitrary arrest and detention [item 18]

13 (XXXI). Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 44/

In accordance with Economic and Social Council resolution 1334 (XLIV) the Commission elected 26 members of the Sub-Commission for a period of three years.

14 (XXXI). Draft provisional agenda for the thirty-second session of the Commission 45/

In accordance with Economic and Social Council resolution 1894 (LVII) the Commission adopted the draft provisional agenda for its thirty-second session.

42/ Adopted at the 1331st meeting, on 5 March 1975. See chap. XIV, para. 175, and chap. I, sect. B, draft decision 4.

43/ Adopted at the 1332nd meeting, on 6 March 1975. See chap. XVI, para. 186, and chap. XVII, para. 190.

44/ Elections were held at the 1332nd meeting, on 6 March 1975. See chap. XIX. For the names of the members elected, see para. 198 above.

45/ Adopted at the 1332nd meeting, on 6 March 1975. See chap. XX. For the text of the draft provisional agenda see para. 201 above.

15 (XXXI). Telegram to be sent to the Government of the
United Kingdom of Great Britain and Northern Ireland 46/

The Commission decided to authorize the Chairman to address the following telegram to the Government of the United Kingdom of Great Britain and Northern Ireland:

"The Commission on Human Rights has learnt with deep concern of the arrest and detention of Rev. Ndabaningi Sithole, President of ZANU and member of the recently reconstituted African National Council of Zimbabwe. The Commission on Human Rights, which has consistently deplored numerous violations of human rights in Rhodesia, especially since the illegal seizure of power by the minority and racist régime, appeals to the Government of the United Kingdom of Great Britain and Northern Ireland as the administering authority of Southern Rhodesia, to intervene and secure the immediate release of the Rev. Sithole from detention. The Commission also appeals to the United Kingdom Government to take every necessary measure to put an end to any kind of violations of human rights in Southern Rhodesia, committed in contravention of the principles of the United Nations Charter and other international instruments, including the International Covenants on Human Rights".

46/ Adopted at the 1333rd meeting, on 6 March 1975, without a vote. A reply to the Chairman's telegram was received from the United Kingdom Government on 7 March 1975; for the text, see annex III below.

XXIV. ORGANIZATION OF THE THIRTY-FIRST SESSION

A. Opening and duration of the session

206. The Commission on Human Rights held its thirty-first session at the United Nations Office at Geneva from 3 February to 7 March 1975.

207. The session was opened (1290th meeting) by Mr. Felix Ermacora (Austria), Chairman of the Commission at its thirtieth session, who made a statement. The Director-General of the United Nations Office at Geneva addressed the Commission. The Director of the Division of Human Rights made a statement concerning the work of the Commission.

B. Attendance

208. The session was attended by representatives of all States members of the Commission, by observers from 28 States Members of the United Nations not members of the Commission and by representatives of specialized agencies, regional intergovernmental organizations and non-governmental organizations. At its 1290th meeting, the Commission approved requests to accord representation with observer status to certain national liberation movements. ^{47/} An attendance list is given in annex I below.

C. Election of officers

209. At its 1290th meeting, on 3 February 1975, the Commission elected unanimously the following officers:

Chairman:	Mr. Ghulam Ali Allana (Pakistan)
Vice-Chairmen:	Mr. Th. C. van Boven (Netherlands) Mr. I. I. Antonovich (Byelorussian SSR) Mr. Espino González (Panama)
Rapporteur:	Mr. Annan Arkyin Cato (Ghana)

D. Agenda

210. The Commission had before it the provisional agenda for the thirty-first session (E/CN.4/1170 and Corr.1 and Add.1 and Add.1/Corr.1 and 2 and Add.2) drawn up by the Secretary-General in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council.

211. At its 1291st meeting, on 4 February 1975, the Commission adopted the provisional agenda, with two additional items, one proposed by Iran and one by Senegal, which were included after item 7 of the provisional agenda as items 8 and 9 respectively. The agenda as adopted is given in annex II below.

^{47/} See chap. XXIII, sect. B, decisions 1 (XXXI) and 2 (XXXI).

E. Meetings, resolutions and documentation

212. The Commission held 46 meetings. The views expressed at those meetings are summarized in the records of the 1290th to 1335th meetings.

213. The resolutions and decisions adopted by the Commission at its thirty-first session are contained in chapter XXIII of the present report. Draft resolutions and decisions for action by the Economic and Social Council and other matters of concern to the Council are set out in chapter I.

214. Annex IV to this report contains statements of the administrative and financial implications of certain decisions. Annex V contains a list of documents submitted for the Commission's consideration. The working documents of the thirty-first session are contained in document E/CN.4/1178.

F. Organization of work

215. At its 1293rd meeting, on 5 February 1975, the Commission agreed upon the following order of consideration of agenda items: items 14, 13 and 15, item 8, item 9, item 6, item 4, item 7, item 20, item 10, item 12, item 19, item 5, item 16, item 11, item 18, item 17, item 23, items 21 and 22, and item 24. It also allocated a tentative number of meetings for the discussion of these items.

ANNEXES

Annex I

ATTENDANCE

Members

Austria: Mr. Felix Ermacora, Mr. George Mautner-Markhof,* Mr. Felix Mikl*

Bulgaria: Mr. Luben Pentchev

Byelorussian Soviet Socialist Republic: Mr. I.I. Antonovich, Mr. L.I. Maksimov*

Costa Rica: Mr. Fernando Salazar, a/ Mr. Fernando Mora,* Mr. Miguel Mena**

Cyprus: Mr. Justice Triantafyllides, a/ Mr. A. Mavrommatis,* Mr. Nicolaos Macris*

Dominican Republic: Mr. Armando Oscar Pacheco, Mrs. Diana Noelthing,*
Mr. Fabio Herrera-Roa**

Ecuador: Mr. Leopoldo Benites, Mr. Eduardo Tobar,* Mr. Arturo Ontaneda**

Egypt: Mr. Hussein Khallaf, Mr. Mahmoud Aboul Nasr,* Mr. Nabil Elaraby,**
Mrs. Mervate Tallawy**

France: Mr. Pierre Juvigny, Mr. René Gros,* Mrs. Suzanne Balous**

Germany, Federal Republic of: Mr. Gerhard Jahn, Mr. Dietrich von Kyaw,*
Mr. Erich Buelow,** Mr. Herman Hillger,** Mr. Karl Heinz Kuhna,**
Mr. Friedrich Meissner,** Mr. Peter Rauschenberger,** Mr. Eckehard Schober**

Ghana: Mr. Amman Arkyin Cato

India: Mrs. Rajan Nehru, Mr. E.A. Srinivasan,* Mr. B.M. Manchanda*

Iran: H.I.H. Princess Ashraf Pahlavi, a/ Mr. Manouchehr Ganji,*
Miss Chirine Tahmasseeb,** Mr. Siavoche Siassi,** Miss Sohevla Shahkar**

Iraq: Mr. Hisham Al-Shawi, Mr. N.N. Al-Tikriti,* Mr. T.L. Pachachi**

Italy: Mr. Giuseppe Sperduti, Mr. S. D'Andrea,* Mr. Antonio Cassese,*
Mr. L. Vozzi,** Mr. D. Occhipinti**

Lebanon: Mr. Mahmoud El-Banna, Mr. Samir Chamma**

* Alternate.

** Adviser.

a/ Did not attend the session.

Netherlands: Mr. Th. C. van Boven, Mr. A.H.J.M. Speekenbrink,* Mr. A.J. Meerburg**

Nicaragua: Mr. Juan José Morales Marenco, a/ Mr. Danilo Sansón Román*

Pakistan: Mr. Ghulam Ali Allana, Mr. Mohammed Yunus,* Mr. Afzal Mahmood,*
Mr. Khalid Saleem**

Panama: Mr. Didimo Rios, a/ Mr. José María Espino González*

Peru: Mr. Luis Marchand Stens, a/ Mr. C. Alzamora Traverso,*
Mr. Luis Chávez Godoy,** Mr. Cord Dammert Hasler**

Senegal: Mr. Kéba M'Baye, Mr. Abdoulaye Diéye*

Sierra Leone: Mrs. M.J.T. Kamara

Tunisia: Mr. Rachid Driss, a/ Mr. Mohamed Ben Fadhel,* Miss Faïka Farouk,*
Mr. Ali Jerad,* Mr. Slim Ben Rejeb*

Turkey: Mr. Suat Bilge, Mr. A. Coskun Kirca,* Mr. Turan Firat,* Mr. Aydemir Erman,*
Mr. Nuri Yildirim,* Mr. Daryal Batibay*

Union of Soviet Socialist Republics: Mr. V.A. Zorin, Mr. D.V. Bykov,*
Mr. K.F. Gouzenko,* Mr. S.V. Chernichenko,* Mr. E. Peryshkin*

United Kingdom of Great Britain and Northern Ireland: Sir Keith Unwin,
Mr. David Broad,* Mr. E.W. Callway**

United Republic of Tanzania: Mrs. D.N.J. Danieli

United States of America: Mr. Philip E. Hoffman, Mr. Warren E. Hewitt,*
Mr. James E. Baker,** Mr. James Stewart Cottman, Jr.,**
Mr. Arthur M. Stillman,** Mr. John Salzberg**

Upper Volta: Mr. Charles Sériba Traore, Mr. François Zongo*

Yugoslavia: Mr. Aleksandar Božović, Mr. Miodrag Mihajlović,*
Mr. Todor Bojadziewski*

Zaire: Mr. Yakembe Yoko, Mrs. Kabangi Kaumbu Bula*

States Members of the United Nations represented by observers

Australia, Belgium, Brazil, Canada, Chile, Cuba, Denmark, Finland, Gabon,
German Democratic Republic, Greece, Hungary, Indonesia, Ireland, Israel, Jordan,
Mexico, Mongolia, New Zealand, Nigeria, Norway, Philippines, Poland, Romania,
Sweden, Syrian Arab Republic, Uganda, Venezuela

* Alternate.

** Adviser.

a/ Did not attend the session.

United Nations bodies

Office of the United Nations High Commissioner for Refugees

Specialized agencies

International Labour Organisation
United Nations Educational, Scientific and Cultural Organization
World Health Organization

Regional intergovernmental organizations

Council of Europe
League of Arab States
Organization of African Unity
Organization of American States

Organizations attending as a result of decisions taken by
the Commission on 3 February 1975

African National Congress (South Africa)
African National Council of Zimbabwe
Palestine Liberation Organization
Pan-Africanist Congress of Azania (South Africa)
South West Africa People's Organisation

Non-governmental organizations in consultative status

Category I

International Confederation of Free Trade Unions, International Council of Women, International Youth and Student Movement for the United Nations, Inter-Parliamentary Union, Women's International Democratic Federation, World Confederation of Labour, World Federation of Trade Unions, World Federation of United Nations Associations

Category II

All-India Women's Conference, Amnesty International, Bahá'i International Community, Caritas Internationalis (International Confederation of Catholic Charities), Commission of the Churches on International Affairs, Consultative Council of Jewish Organizations, Friends World Committee for Consultation, Inter-American Press Association, International Alliance of Women - Equal Rights, Equal Responsibilities, International Association of Democratic Lawyers, International Catholic Child Bureau, International Catholic Migration Commission, International Commission of Jurists, International Committee of the Red Cross, International Council of Jewish Women, International Council of Social Democratic Women, International Federation for Human Rights, International Federation of Business and Professional Women, International Federation of Resistance Movements, International Federation of University Women, International Federation of Women Lawyers, International League for the Rights of Man, International Movement for Fraternal Union among Races and Peoples, International Union for Child Welfare,

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Pax Romana, St. Joan's International Alliance, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Alliance of Young Men's Christian Associations, World Conference of Religion for Peace, World Federation of Democratic Youth, World Jewish Congress, World Young Women's Christian Association, World Woman's Christian Temperance Union

Roster

International Association for Religious Freedom, Movement against Racism, Antisemitism and for Peace, World Peace Council

Annex II

AGENDA

1. Election of officers
2. Adoption of the agenda
3. Organization of the work of the session (Economic and Social Council resolution 1694 (LII) and Commission resolution 2 (XXV))
4. Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East (Commission resolution 1 (XXX))
5. Draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief (General Assembly resolutions 3069 (XXVIII) and 3267 (XXIX); Commission decision 2 of 5 March 1974)
6. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories, including:
 - (a) Study of situations which reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group established by Commission decision 3 of 6 March 1974 (Economic and Social Council decision 15 (LVI))
 - (b) Report of the Ad Hoc Working Group of Experts (Commission resolution 19 (XXIX) and Economic and Social Council resolution 1868 (LVI))
7. Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment (resolution 8 (XXVII)) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and General Assembly resolution 3219 (XXIX))
8. Question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems relating to human rights in developing countries

9. Question of the realization of the right of peoples to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, taking into account in particular the promotion and protection of human rights and fundamental freedoms
10. The role of youth in the promotion and protection of human rights (Commission resolution 11 A (XXVIII)), including:
 - (a) The question of conscientious objection to military service: report of the Secretary General (Commission resolution 11 B (XXVII) and decision 9 of 7 March 1974) e
 - (b) Channels of communication with youth and international youth organizations: report of the Ad Hoc Advisory Group on Youth on its first meeting (Economic and Social Council resolution 1842 (LVI))
11. Reports of the Committee on Crime Prevention and Control on its first, second and third sessions (Economic and Social Council resolution 1584 (L) and Commission decision 9 of 7 March 1974)
12. Human rights and scientific and technological developments: report of the Secretary-General (General Assembly resolutions 2450 (XXIII), 2721 (XXV), 3026 B (XXVII), 3149 (XXVIII) and 3268 (XXIX); Commission resolutions 10 (XXVII) and 2 (XXX))
13. Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live (Economic and Social Council resolutions 1790 (LIV) and 1871 (LVI))
14. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twenty-seventh session
15. Study of discrimination against persons born out of wedlock, and the draft general principles on equality and non-discrimination in respect of such persons (Economic and Social Council resolution 1787 (LIV))
16. Periodic reports on economic, social and cultural rights (Economic and Social Council resolutions 1596 (L) and 1793 (LIV) and decision of 13 May 1973)
17. Question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred (General Assembly resolution 2839 (XXVI) and Commission decision 9 of 7 March 1974)
18. Study of the right of everyone to be free from arbitrary arrest, detention and exile, study of the right of arrested persons to communicate with those with whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests, and draft principles on freedom from arbitrary arrest and detention (Commission resolution 23 (XXV) and decision 9 of 7 March 1974)

19. Advisory services in the field of human rights
20. Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission (Commission resolution 10 (XXX))
21. Communications concerning human rights
22. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (Economic and Social Council resolution 1335 (XLIV))
23. Draft provisional agenda for the thirty-second session of the Commission (Economic and Social Council resolution 1894 (LVII))
24. Report to the Economic and Social Council on the thirty-first session of the Commission.

Annex III

TEXT OF TELEGRAM DATED 7 MARCH 1975 FROM THE PRINCIPAL SECRETARY OF STATE FOR
FOREIGN AFFAIRS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
ADDRESSED TO THE CHAIRMAN OF THE COMMISSION

The Government of the United Kingdom have received the text of the Chairman's telegram about the arrest and detention of the Rev. Sithole. a/

As the Commission knows, the ability of the Government of the United Kingdom to influence or control events inside Rhodesia is severely limited. Nevertheless, the Government of the United Kingdom fully shares the concern of the Commission on Human Rights over recent developments in Rhodesia, which can only obstruct progress towards the negotiation of a just and peaceful settlement such as is desired by the international community.

The Government of the United Kingdom is in close consultation about the situation in Rhodesia with other interested Governments in the southern African area in an effort to promote a solution to the Rhodesian problem which will put an end to violations of human rights in that territory.

a/ See chap. XXIII, sect. B, decision 15 (XXXI).

Annex IV

FINANCIAL IMPLICATIONS OF RESOLUTIONS AND DECISIONS ADOPTED
BY THE COMMISSION AT ITS THIRTY-FIRST SESSION

1. In the course of its thirty-first session, the Commission adopted a total of 12 resolutions, three of which have financial implications. The Secretary-General, in compliance with regulation 13.1 of the Financial Regulations of the United Nations and rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, submitted statements on the administrative and financial implications of the proposals.
2. If the Economic and Social Council approves the proposals contained in the report of the Commission, the Secretary-General would request from the General Assembly at its thirtieth session any additional resources needed to implement the proposals in 1975, 1976 and 1977.
3. The financial implications arising from proposals emanating from the thirty-first session of the Commission are summarized as follows:

Summary table of financial implications of resolutions adopted
 by the Commission on Human Rights at its thirty-first
 session

<u>Resolution number and subject</u>	<u>Requirements</u>	<u>Biennium 1974-1975</u>		<u>Biennium 1976-1977</u>		<u>Total</u>
		<u>1975</u> (US dollars)		<u>1977</u> (US dollars)		
5 (XXXI). Report of the Ad Hoc Working Group of Experts.	Travel and subsistence of six experts, of witnesses and of substantive, administrative and conference servicing staff; conference servicing costs and general expenses	25,780	222,205	57,800		
8 (XXXI). Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment	Travel and subsistence of the five members of the Ad Hoc Working Group and of witnesses; conference servicing costs	177,900	24,900	-		
9 (XXXI). Representation of the Commission on Human Rights at the World Conference of the International Women's Year	Travel and subsistence of one member of the Commission to attend the World Conference of the International Women's Year	4,085	-	-		
		<u>207,765</u>	<u>247,105</u>	<u>57,800</u>		

Resolution 5 (XXXI). Report of the Ad Hoc Working Group of Experts

4. Under the terms of paragraphs 12, 13, 14 and 15 of the resolution, the Commission on Human Rights requests the Ad Hoc Working Group of Experts to continue carefully to observe and survey further developments concerning the policy of apartheid and racial discrimination present in the situation prevailing in Namibia and Southern Rhodesia; to study in particular the private gaol and farm gaol systems, the development of the separate homelands policy and its effects on the right to self-determination, as well as the farm labour system in the Republic of South Africa; to study the consequences of apartheid as regards the African family and to inquire into the particular difficulties of the student movements in South Africa and Namibia; and to submit a report on its findings to the Commission not later than at the Commission's thirty-third session and to present an interim report to the Commission at its thirty-second session.

5. For the purpose of determining the financial implications of the resolution, the following assumptions have been made:

(a) The Ad Hoc Working Group, composed of six experts, would meet for one week in Geneva at the end of July 1975 to organize and plan its work in relation to the terms of its new mandate;

(b) The Ad Hoc Working Group would meet again in January 1976 in Geneva for two weeks to consider and adopt its interim report for submission to the Commission on Human Rights at its thirty-second session;

(c) In May 1976, the six members of the Ad Hoc Working Group, accompanied by a member of the Secretariat, would participate in a five-day symposium, to be organized in an African city, under the auspices of the United Nations Commissioner for Namibia and upon his invitation;

(d) In July-August 1976, the Ad Hoc Working Group, accompanied by substantive, administrative and conference servicing staff of the Secretariat, would carry out a field mission for a total duration of about four weeks and visit London, Algiers, Lusaka and Geneva for the purpose of hearing testimony and gathering first-hand information on matters falling within its mandate;

(e) In January 1977, the Ad Hoc Working Group would meet again in Geneva for a period of two weeks to consider and adopt its final report for presentation to the Commission on Human Rights at its thirty-third session.

6. On the above assumptions, the relevant costs are estimated as follows:

1975 1976 1977
(US dollars)

I. Meeting in Geneva, July 1975 (one week)

Travel and subsistence of six members

(a) Travel (first class)	5,800
(b) Subsistence	2,880

	<u>1975</u>	<u>1976</u>	<u>1977</u>
	(US dollars)		
Conference servicing costs			
(a) Interpretation and sound engineer		4,400	
(b) Pre-session documentation: Contractual translation, typing and reproduction in English, French and Spanish (100 pages, restricted distribution)		7,700	
Consultant services		5,000	
II. Meeting in Geneva, January 1976 (two weeks)			
Travel and subsistence of six members			
(a) Travel (first class)		6,300	
(b) Subsistence		5,760	
Conference servicing costs			
(a) Interpretation and sound engineer		11,000	
(b) Pre-session documentation: Contractual translation, typing and reproduction in English, French and Spanish (150 pages, restricted distribution)		11,500	
(c) Post-session documentation: Report to be submitted to the Commission on Human Rights at its thirty-second session: Contractual translation, typing and reproduction in English, French, Russian and Spanish (150 pages)		15,500	
III. Participation in symposium in an African city, May 1976 (five days)			
Travel and subsistence of six members			
(a) Travel (first class)		10,000	
(b) Subsistence		1,325	
Travel and subsistence of one staff member			
(a) Travel (economy class)		1,000	
(b) Subsistence		200	

1975 1976 1977
(US dollars)

IV. Field mission to Africa (London/Algiers/
Lusaka/Geneva) (approximately 4 weeks,
July/August 1976)

Travel and subsistence of six members

(a) Travel (first class)	25,400
(b) Subsistence at varying rates	8,260

Travel and subsistence of substantive,
administrative and conference servicing
staff (composition of staff is listed
below)

(a) Travel (economy class) for 14 staff members	28,000
(b) Subsistence at varying rates (14 staff members)	8,960

Staff:

Principal Secretary	1
Assistant Secretary	1
Administrative and Finance Officer	1
Interpreters (two English, two French and two Spanish)	6
Verbatim reporter	1
Sound engineer	1
Press officer	1
Secretaries	2
Local interpreter to be recruited in region	(1)

Salaries/wages to free-lance conference servicing staff (four weeks)	\$	29,000
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Six interpreters	26,000
One sound engineer	2,000
One local interpreter	1,000

General expenses	15,000
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Rental of conference rooms and office
space, local transportation,
communications (administrative and
press cables), air freight for
equipment, travel and subsistence of
witnesses, miscellaneous expenses,
rental of equipment

	<u>1975</u>	<u>1976</u>	<u>1977</u>
	(US dollars)		
Conference servicing costs		40,000	
Testimony of witnesses, contractual translation, typing and reproduction in English, French and Spanish (1,200 pages)			
Consultant services		5,000	
V. Meeting in Geneva, January 1977 (two weeks) (10 through 21 January)			
Travel and subsistence of six members			
(a) Travel (first class)			7,000
(b) Subsistence			6,000
Conference servicing costs			
(a) Interpretation and sound engineer			8,800
(b) Pre-session documentation: Contractual translation, typing and reproduction in English, French and Spanish (200 pages, restricted distribution)			15,000
(c) Post-session documentation: Report to be submitted to the Commission on Human Rights at its thirty-third session. Contractual translation, typing and reproduction in English, French, Russian and Spanish (200 pages)			21,000
<u>Summary</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
	\$	\$	\$
I. Meeting in Geneva, July 1975	25,780		
II. Meeting in Geneva, January 1976		50,060	
III. Participation in symposium in an African city, May 1976		12,525	
IV. Field mission to Africa, July/August 1976		159,620	
V. Meeting in Geneva, January 1977			57,800
TOTAL	<u>25,780</u>	<u>222,205</u>	<u>57,800</u>

Resolution 8 (XXXI). Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment

7. In paragraph 1 of the resolution, the Commission on Human Rights decides that an Ad Hoc Working Group of five members of the Commission, to be appointed in their personal capacity by the Chairman of the Commission on Human Rights and to operate under his chairmanship, shall inquire into the present human rights situation in Chile on the basis of various resolutions referred to in the preamble and of a visit to Chile and oral and written evidence to be gathered from all relevant sources.

8. The Ad Hoc Working Group is requested under paragraph 3 to report the results of its inquiries to the Commission on Human Rights at its thirty-second session and to submit a progress report on its findings to the Secretary-General for inclusion in his report to the General Assembly at its thirtieth session under General Assembly resolution 3219 (XXIX); thereafter the Ad Hoc Working Group shall cease to exist.

9. For the purpose of determining the financial implications of the resolution, the following assumptions have been made:

(a) The Working Group, composed of five members, would meet for a period of one week in Geneva in late spring 1975 in order to organize its work and plan its field mission in Chile;

(b) The Working Group would visit Chile during the summer of 1975 for a period of three weeks; the Chairman, accompanied by one member of the Secretariat, would spend one week at Headquarters, New York, before the mission to Chile, for the purpose of consultations and preparations;

(c) The Working Group would meet for a period of two weeks in Geneva in summer 1975 in order to consider and adopt a progress report on its findings to the Secretary-General for inclusion in his report to the General Assembly at its thirtieth session under General Assembly resolution 3219 (XXIX);

(d) The Working Group would meet for a period of two weeks in New York for the purpose of finalizing its report to the thirty-second session of the Commission on Human Rights, scheduled to begin on 3 February 1976.

10. On the above assumptions, the relevant costs are estimated as follows:

<u>I. Meeting in Geneva, late spring 1975 (one week)</u>	<u>US dollars</u>
Travel and subsistence of five members	
(a) Travel (first class)	7,700
(b) Subsistence	1,800

US dollars

Conference servicing costs:

(a) Interpretation and sound engineer	7,400
(b) Pre-session documentation (contractual translation, typing and reproduction in English, French and Spanish - 100 pages, restricted distribution)	3,900

II. Field mission to Chile, early summer 1975 (three weeks)

Travel and subsistence of five members

(a) Travel (first class)	14,200
(b) Subsistence	5,000

Travel and subsistence of substantive, administrative and
conference servicing staff (composition of staff listed
below)

(a) Travel (economy class) for 19 staff members	42,000
(b) Subsistence for 19 staff members	12,300

Staff:

Representative of the Secretary-General	1
Two substantive officers	2
Administrative and finance officer	1
Information officer	1
Secretaries	2
Interpreters, English, French, Spanish	7
Translators	2
Verbatim reporters	2
Sound engineer	1

(c) Salaries/wages to free-lance conference servicing staff

Seven interpreters	18,500
One sound engineer	1,000
Two translators	5,300
Two verbatim reporters	5,300

US dollars

(d) General expenses: 10,000

Rental of conference rooms and office space
Local transportation
Communications
Air freight for equipment
Travel and subsistence of witnesses
Miscellaneous expenses
Rental of equipment

III. Meeting in Geneva, summer 1975 (two weeks)

Travel and subsistence of five members

(a) Travel (first class) 7,700

(b) Subsistence 3,900

Conference servicing costs

(a) Interpretation and sound engineer 15,000

(b) Pre-session documentation 13,000
(contractual translation, typing and reproduction
in English, French, and Spanish - 350 pages,
restricted distribution)

(c) Post-session documentation 3,900
(contractual translation, typing and reproduction
in English, French and Spanish - 100 pages,
restricted distribution)

IV. Meeting in New York, January 1976 (two weeks)

Travel costs to be covered under normal arrangements for members
of the Commission to attend the thirty-second session

Subsistence for five members for two weeks 3,400

Conference servicing costs:

(a) Interpretation and sound engineer (Headquarters) -

(b) Pre-session documentation 9,200
(contractual translation, typing and reproduction in
English, French and Spanish - 250 pages)

(c) Transcription of testimony: 500 pages -

(d) Translation and reproduction of written
evidence: 400 pages -

	<u>US dollars</u>	
(c) Post-session documentation Report to be submitted to the Commission on Human Rights at its thirty-second session: English, French and Spanish - 250 pages)		9,200
Travel and subsistence of two staff members		
(a) Travel (economy class)		2,500
(b) Subsistence		600
<u>Summary</u>	<u>1975</u>	<u>1976</u>
	<u>(US dollars)</u>	
I. Meeting in Geneva, late spring 1975	20,800	
II. Field mission to Chile, early summer 1975	113,600	
III. Meeting in Geneva, summer 1975	43,500	
IV. Meeting in New York, January 1976		24,900
	<u>TOTAL</u>	<u>177,900</u>
		<u>24,900</u>

Resolution 9 (XXXI). Representation of the Commission on Human Rights at the World Conference of the International Women's Year

11. Under the terms of the draft resolution recommended for adoption by the Economic and Social Council in Commission resolution 9 (XXXI), the Council, recognizing the importance of the Commission on Human Rights being in close touch with the deliberations and conclusions of the World Conference of the International Women's Year, to be held in Mexico from 19 June through 2 July 1975, would designate Mrs. Rajan Nehru to attend the World Conference on behalf of the Commission.

12. The relevant costs are estimated as follows:

	<u>US dollars</u>
Travel and subsistence of one member of the Commission for 15 days, 19 June-2 July 1975	
Travel (economy class)	3,560
Subsistence (15 days)	525
	<u>TOTAL</u>
	<u>4,085</u>

Annex V

LIST OF DOCUMENTS ISSUED FOR THE THIRTY-FIRST SESSION OF THE COMMISSION

Documents of the Commission

<u>Documents issued in the general series</u>		<u>Agenda item</u>
E/CN.4/907/Rev.12 and Corr.1	Status of multilateral treaties in the field of human rights concluded under the auspices of the United Nations: memorandum by the Secretary-General	16
E/CN.4/923/Add.8	Decisions taken by United Nations bodies containing provisions relevant to the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of <u>apartheid</u> in all countries, with particular reference to colonial and other dependent countries and territories (ninth supplement to document E/4226)	6
E/CN.4/1142/Add.2	Uses of electronics which may affect the rights of the person and the limits which should be placed on such uses in a democratic society: addendum to the report of the Secretary-General	12
E/CN.4/1146/Add.3	Draft declaration on the elimination of all forms of religious intolerance: addendum to the report of the Secretary-General	5
E/CN.4/1155 and Add.1-28	Reports on economic, social and cultural rights for the period 1 July 1969-30 June 1973 received from Governments under Economic and Social Council resolution 1074 C (XXXIX)	16
E/CN.4/1156 and Add.1 and 2	Reports on economic, social and cultural rights for the period 1 July 1969-30 June 1973 received from specialized agencies under Economic and Social Council resolution 1074 C (XXXIX)	16
E/CN.4/1157 and Add.1 and 2	Note by the Secretary-General	15
E/CN.4/1158	Letter dated 21 August 1974 from the Chargé d'affaires, a.i., of the Permanent Mission of Chile to the United Nations addressed to the Secretary-General	7

<u>Documents issued in the general series (continued)</u>		<u>Agenda item</u>
E/CN.4/1159	Report of the <u>Ad Hoc</u> Working Group of Experts prepared in accordance with resolution 19 (XXIX) of the Commission on Human Rights and resolution 1868 (LVI) of the Economic and Social Council	6 (b)
E/CN.4/1160	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights on its twenty-seventh session	14
E/CN.4/1161 and Add.1-3	Note by the Secretary-General	4
E/CN.4/1162 and Add.1	Elimination of racial discrimination: note by the Secretary-General	6
E/CN.4/1163 and Add.1-2	Information submitted in accordance with Economic and Social Council resolution 1159 (XLI) regarding co-operation with regional intergovernmental bodies concerned with human rights: note by the Secretary-General	
E/CN.4/1164 and Add.1	Analytical summary of reports and other material on economic, social and cultural rights for the period 1 July 1969 to 30 June 1973, received under Economic and Social Council resolution 1074 C (XXXIX)	16
E/CN.4/1165 and Corr.1 and Add.1	Subject and country index to reports on economic, social and cultural rights: note by the Secretary-General	16
E/CN.4/1166 and Add.1-15	Information submitted by specialized agencies, regional organizations and non-governmental organizations in consultative status	7
E/CN.4/1167	Report of the <u>Ad Hoc</u> Committee on Periodic Reports	16
E/CN.4/1168 and Add.1	Analysis of replies of Member States prepared by the Secretary-General in accordance with Commission resolution 10 (XXX)	20
E/CN.4/1169	Report of the Secretary-General	19

<u>Documents issued in the general series (continued)</u>		<u>Agenda item</u>
E/CN.4/1170 and Corr.1 E/CN.4/1170/Add.1 and Corr.1 and 2, E/CN.4/1170/Add.2	Provisional agenda of thirty-first session of the Commission on Human Rights: note by the Secretary-General	2
E/CN.4/1171 and Add.1-5	Note by the Secretary-General	22
E/CN.4/1172 and Corr.1	Protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry: report of the Secretary-General	12
E/CN.4/1173	Health aspects of human rights in the light of developments in biology and medicine: report of the World Health Organization	12
E/CN.4/1174	Letter dated 10 February 1975 from the Permanent Representative of Chile to the United Nations Office at Geneva addressed to the Director of the Division of Human Rights	7
E/CN.4/1174/Add.1	Memorandum of the Permanent Representative of Chile to the United Nations Office at Geneva dated 20 February 1975	7
E/CN.4/1175	Appeal to the Chairman of the Commission dated 22 January 1975, circulated at the request of the representative of Tunisia	4
E/CN.4/1176	Letter dated 26 February 1975 from the representative of the Byelorussian Soviet Socialist Republic on the Commission on Human Rights addressed to the Director of the Division of Human Rights	7
E/CN.4/1177	Letter dated 27 February 1975 from the representative of the Union of Soviet Socialist Republics on the Commission on Human Rights addressed to the Director of the Division of Human Rights	7
E/CN.4/1178	Working documents of the thirty-first session	
E/CN.4/CR.45	Non-confidential list of communications concerning human rights	21
E/CN.4/INF.22 and Corr.1	Attendance at the thirty-first session of the Commission on Human Rights	

<u>Documents issued in the general series (continued)</u>		<u>Agenda item</u>
E/CN.4/SR.1290-1335 ^{a/}	Summary records of the thirty-first session of the Commission on Human Rights	
E/CN.5/508	Youth policies and programmes - International policy on youth: report of the <u>Ad Hoc</u> Advisory Group on Youth on its first meeting, held at United Nations Headquarters from 20 to 28 August 1973	10 (a)
E/CN.5/516	Report of the Committee on Crime Prevention and Control on its third session	11
<u>Documents issued in the limited series</u> ^{b/} , ^{c/}		
E/CN.4/L.1285	Bulgaria, Byelorussian Soviet Socialist Republic and Union of Soviet Socialist Republics: draft resolution	20
E/CN.4/L.1287	Note by the Secretary-General on the programme of work	12
E/CN.4/L.1288 and Add.1 and 2	Note by the Secretary-General	23
E/CN.4/L.1289 and Add.1	Organization of the work of the session - Netherlands: proposal	3
E/CN.4/L.1290	Consideration of the question by the Commission for Social Development at its twenty-fourth session	15
E/CN.4/L.1291	Ghana, Senegal, Sierra Leone and United Republic of Tanzania: draft resolution	15

^{a/} The 1309th to 1312th and the 1317th meetings, and parts of the 1308th and 1316th meetings, were closed.

^{b/} Document E/CN.4/1178 contains the text of documents E/CN.4/L.1285, E/CN.4/L.1289-E/CN.4/L.1310 and E/CN.4/L.1312, originally distributed to participants only.

^{c/} The sponsors listed here include those who became sponsors of the draft resolution or amendment subsequent to the issue of the document.

<u>Documents issued in the limited series (continued)</u>		<u>Agenda item</u>
E/CN.4/L.1292/Rev.1	Egypt, Ghana, India, Iran, Senegal, Sierra Leone, Tunisia, Turkey, Yugoslavia and United Republic of Tanzania: draft resolution	8
E/CN.4/L.1293	Austria, Egypt, Ghana, India, Iran, Senegal, Sierra Leone, United Republic of Tanzania, Upper Volta, Yugoslavia and Zaire: draft resolution	9
E/CN.4/L.1294 and Add.1-10	Draft report of the Commission	24
E/CN.4/L.1295 and Add.1-6	Draft report of the Commission	24
E/CN.4/L.1296	Costa Rica, Cyprus, Ecuador, Egypt, Ghana, India, Panama, Sierra Leone, United Republic of Tanzania, Upper Volta, Yugoslavia and Zaire: draft resolution	6 (b)
E/CN.4/L.1296/Rev.1	Costa Rica, Cyprus, Ecuador, Egypt, Ghana, India, Panama, Sierra Leone, United Republic of Tanzania, Upper Volta, Yugoslavia and Zaire: revised draft resolution	6 (b)
E/CN.4/L.1297	Egypt, India, Senegal, Yugoslavia and Zaire: draft resolution	6
E/CN.4/L.1298	Administrative and financial implications of the revised draft resolution contained in document E/CN.4/L.1296/Rev.1: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council	6 (b)
E/CN.4/L.1299	Cyprus, Ghana, India, Pakistan, Senegal, Sierra Leone, United Republic of Tanzania, Yugoslavia and Zaire: draft resolution	4
E/CN.4/L.1300	Cyprus, Egypt, India, Iraq, Lebanon, Pakistan Senegal, Tunisia, Turkey and Zaire: draft resolution	4
E/CN.4/L.1301	Netherlands, Nicaragua and United Kingdom of Great Britain and Northern Ireland: draft resolution	7

<u>Documents issued in the limited series (continued)</u>		<u>Agenda item</u>
E/CN.4/L.1301/Rev.1	Netherlands, Nicaragua and United Kingdom of Great Britain and Northern Ireland: revised draft resolution	7
E/CN.4/L.1302	Union of Soviet Socialist Republics: draft resolution	7
E/CN.4/L.1303	Senegal: draft resolution	7
E/CN.4/L.1304	Administrative and financial implications of the revised draft resolution contained in document E/CN.4/L.1303: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council	7
E/CN.4/L.1305	Austria, Cyprus, Ecuador, Egypt, France, Germany (Federal Republic of), Ghana, Iran, Iraq, Netherlands, Nicaragua, Panama, Peru, Turkey and Yugoslavia: draft resolution	20
E/CN.4/L.1306	Austria, Ghana, Iran, Netherlands and United Republic of Tanzania: draft resolution	20
E/CN.4/L.1306/Rev.1	Austria, Ghana, Iran, Netherlands, and United Republic of Tanzania: revised draft resolution	20
E/CN.4/L.1307	Germany (Federal Republic of), Italy and United Kingdom of Great Britain and Northern Ireland: revised amendments to the draft resolution contained in document E/CN.4/L.1285	20
E/CN.4/L.1308	Administrative and financial implications of the draft resolution contained in document E/CN.4/L.1305: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council	20
E/CN.4/L.1309	Sierra Leone: amendments to the draft resolution in E/CN.4/L.1306	20
E/CN.4/L.1310	Austria, Costa Rica and Netherlands: draft resolution	10
E/CN.4/L.1311	Report of the informal Working Group established by the Commission at its 1293rd meeting	5

<u>Documents issued in the limited series (continued)</u>		<u>Agenda item</u>
E/CN.4/L.1312	Ecuador, France and Panama: draft resolution	12
<u>Documents issued in the non-governmental organizations series</u>		
E/CN.4/NGO/182	The problem of torture in the world: statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status, category I	
E/CN.4/NGO/183	The United Nations Charter and the obligation not to violate human rights: statement submitted by the International League for the Rights of Man, a non-governmental organization in consultative status, category II	6
E/CN.4/NGO/184	Charter of trade union rights and demands of workers: statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status, category I	
E/CN.4/NGO/185	Statement submitted by the International Youth and Student Movement for the United Nations, a non-governmental organization in consultative status, category I, together with Amnesty International, the Friends World Committee for Consultation, the International Catholic Child Bureau, the International Commission of Jurists, the International Federation for Human Rights, the International Movement for Fraternal Union between Races and Peoples, Pax Romana (International Movement of Catholic Students), War Resisters International, Women's International League for Peace and Freedom, the World Student Christian Federation, the World University Service and the World Young Women's Christian Association, non-governmental organizations in consultative status, category II	10 (a)
E/CN.4/NGO/186	Statement submitted by the Commission of the Churches on International Affairs, the International Confederation of Catholic Charities, Pax Romana (International Movement of Catholic Students), the Women's International League for Peace and Freedom, the World Association of World Federalists and the World Conference of Religion for Peace, non-governmental organizations in consultative status, category II	10 (a)

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