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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Report of the Third Committee (Part II)

Rapporteur: Mr. Francis Eric AGUILAR-HECHT (Guatemala)

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/41/L.48

1. At the 46th meeting, on 14 November, the representative of Zambia introduced a draft resolution (A/C.3/41/L.48) entitled "Assistance to student refugees in southern Africa", sponsored by Algeria, Angola, the Bahamas, Botswana, Burkina Faso, Cameroon, China, Comoros, the Congo, Côte d'Ivoire, Djibouti, Egypt, Ethiopia, Guinea, Indonesia, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Morocco, the Niger, Nigeria, the Philippines, Rwanda, Senegal, Somalia, the Sudan, Swaziland, Togo, Trinidad and Tobago, Uganda, Yugoslavia, Zaire, Zambia and Zimbabwe, subsequently joined by Mozambique.

2. At its 50th meeting, on 19 November, the Committee adopted draft resolution A/C.3/41/L.48 without a vote (see para. 45, draft resolution I).

B. Draft resolution A/C.3/41/L.50

3. At the 48th meeting, on 17 November, the representative of Zaire introduced a draft resolution (A/C.3/41/L.50) entitled "Humanitarian assistance to refugees in Djibouti", sponsored by Algeria, Argentina, Austria, Bahrain, Bangladesh, Benin, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, the Central African Republic, Chad, China, Comoros, the Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic Yemen, Djibouti, the Dominican Republic, Egypt, Ethiopia, France, Gabon, the Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea, Haiti, Honduras, Indonesia, Iraq, Italy, Jamaica, Japan, Jordan, Kenya,

Kuwait, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Morocco, the Niger, Nigeria, Oman, Pakistan, Panama, the Philippines, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, the United Arab Emirates, the United Republic of Tanzania, Yemen, Yugoslavia, Zaire and Zambia.

4. At its 53rd meeting, on 21 November, the Committee adopted draft resolution A/C.3/41/L.50 without a vote (see para. 45, draft resolution II).

5. After the adoption of the draft resolution, statements were made by the representatives of the United States of America and Israel (see A/C.3/41/SR.53).

C. Draft resolution A/C.3/41/L.52

6. At the 48th meeting, on 17 November, the representative of Zaire introduced a draft resolution (A/C.3/41/L.52) entitled "Assistance to refugees in Somalia", sponsored by Algeria, Argentina, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brunei Darussalam, Cameroon, the Central African Republic, Chad, Chile, China, Comoros, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, the Dominican Republic, Egypt, the Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, the Niger, Nigeria, Oman, Pakistan, the Philippines, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, the United Arab Emirates, Yemen, Yugoslavia, Zaire and Zambia.

7. At its 53rd meeting, on 21 November, the Committee adopted draft resolution A/C.3/41/L.52 without a vote (see para. 45, draft resolution III).

8. After the adoption of the draft resolution, statements were made by the representatives of the United States of America and Israel (see A/C.3/41/SR.53).

D. Draft resolution A/C.3/41/L.53

9. At the 48th meeting, on 17 November, the representative of Zaire introduced a draft resolution (A/C.3/41/L.53) entitled "Situation of refugees in the Sudan", sponsored by Algeria, Bahrain, Bangladesh, Botswana, Cameroon, Canada, the Central African Republic, Chad, China, Comoros, Côte d'Ivoire, Cyprus, Democratic Kampuchea, Democratic Yemen, Djibouti, Egypt, France, Germany, Federal Republic of, Greece, Guinea, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Morocco, Nepal, the Niger, Nigeria, Oman, Pakistan, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Thailand, Togo, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Yugoslavia, Zaire and Zambia. At the same time, he orally revised the draft resolution as follows:

(a) In the third preambular paragraph, the words "a vast and increasing number" were replaced by the words "a very large and persistent number";

(b) In the fourth preambular paragraph, the words "substantially increased international assistance" were replaced by the words "adequate international assistance";

(c) Operative paragraph 6, which reads:

"6. Requests the Secretary-General to organize in consultation with the relevant United Nations organs and specialized agencies an interagency expert planning mission to assist the Government of the Sudan in formulating integrated development programmes for the affected areas, as suggested in the report of the mission"

was revised to read:

"6. Requests the Secretary-General in following up on the report of the mission and furthering the integration of developmental and refugee aid to take steps to ensure that continued joint inter-agency expert planning for the Sudan takes place as suggested by the mission in its report".

Subsequently, Argentina, Mauritania and the Philippines joined in sponsoring the draft resolution.

10. At its 53rd meeting, on 21 November, the Committee adopted draft resolution A/C.3/41/L.53, as orally revised, without a vote (see para. 45, draft resolution IV).

11. After the adoption of the draft resolution, the representative of Israel made a statement (see A/C.3/41/SR.53).

E. Draft resolution A/C.3/41/L.54

12. At the 48th meeting, on 17 November, the representative of Zaire introduced a draft resolution (A/C.3/41/L.54) entitled "Emergency assistance to returnees and displaced persons in Chad", sponsored by Burkina Faso, Cameroon, Cape Verde, the Central African Republic, Chad, Chile, China, Comoros, the Congo, Côte d'Ivoire, Djibouti, Egypt, France, Gabon, the Gambia, Greece, Guinea, Haiti, Indonesia, Japan, Mali, the Niger, Senegal, Somalia, the Sudan, Thailand, Togo and Zaire.

13. At the 53rd meeting, on 21 November, the representative of Sweden proposed that, throughout the text, the word "voluntary" be inserted before the word "returnees"; the amendment was accepted by the sponsors of the draft resolution.

14. At the same meeting, the Committee adopted draft resolution A/C.3/41/L.54, as orally revised, without a vote (see para. 45, draft resolution V).

15. After the adoption of the draft resolution, the representatives of the United States of America and Israel made statements (see A/C.3/41/SR.53).

F. Draft resolution A/C.3/41/L.55

16. At the 48th meeting, on 17 November, the representative of Zaire introduced a draft resolution (A/C.3/41/L.55) entitled "Assistance to displaced persons in Ethiopia", sponsored by Afghanistan, Algeria, Angola, Argentina, Bangladesh, Benin, Botswana, Burkina Faso, Cameroon, the Central African Republic, China, Comoros, the Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic Yemen, Djibouti, Egypt, Ethiopia, the Gambia, Ghana, Greece, Guinea, Hungary, Indonesia, Iran (Islamic Republic of), Italy, Japan, Jordan, Kenya, the Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mongolia, Morocco, Nicaragua, the Niger, Nigeria, Pakistan, the Philippines, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Swaziland, the Syrian Arab Republic, Togo, Uganda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

17. At the 49th meeting, on 18 November, the representative of Zaire, on behalf of the sponsors, orally revised the draft resolution as follows:

(a) In operative paragraph 2, the word "maximum" was replaced by the word "adequate", and the words "and people" were inserted after the words "technical assistance to the Government";

(b) In operative paragraph 3, the words "to intensify" were replaced by the words "to continue", and the words "voluntary returnees, refugees and displaced persons" were replaced by the words "voluntary returnees and refugees".

Subsequently Austria, Jamaica, Mozambique and Poland joined in sponsoring the draft resolution.

18. At the 50th meeting, on 19 November, the following further revisions to the draft resolution were announced on behalf of the sponsors:

(a) In operative paragraph 1, the words "to support the efforts" were revised to read "to assist the efforts",

(b) In operative paragraph 2, the word "its", which appeared before the words "efforts to provide relief", was replaced by the word "their".

Subsequently Bolivia joined in sponsoring the draft resolution.

19. At its 53rd meeting, on 21 November, the Committee adopted draft resolution A/C.3/41/L.55, as orally revised, by a recorded vote of 128 to one, with one abstention (see para. 45, draft resolution VI). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark,

Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Greece, Guatemala, Guinea, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Israel.

20. After the adoption of the draft resolution, statements were made by the representatives of the United States of America, the Federal Republic of Germany, France, Israel and the United Kingdom of Great Britain and Northern Ireland (see A/C.3/41/SR.53).

G. Draft resolution A/C.3/41/L.1

21. At its 54th meeting, on 24 November, the Committee considered the draft resolution entitled "Implementation of the Declaration on Social Progress and Development", which had been recommended for adoption by the Economic and Social Council in resolution 1985/34 of 29 May 1985 and circulated in a note by the Secretariat (A/C.3/41/L.1).

22. At the same meeting, the representative of Poland, also on behalf of the Byelorussian Soviet Socialist Republic and Viet Nam, introduced amendments (A/C.3/41/L.78) to the draft resolution contained in document A/C.3/41/L.1, by which:

(a) In operative paragraph 5, the words "forty-second session" would be replaced by the words "forty-fourth session";

(b) After operative paragraph 5, the following new paragraph would be added:

"6. Further requests the Secretary-General to prepare a draft framework of the above-mentioned substantive report and to submit it to the Commission for Social Development at its thirtieth session in order to allow the Commission to make suggestions in regard to the preparation of that report";

(c) The remaining paragraph would be renumbered accordingly.

23. At the 57th meeting, on 25 November, the representative of the Department of International Economic and Social Affairs made a statement concerning the programme implications of the proposals (see A/C.3/41/SR.57).

24. At the same meeting, the Committee adopted the amendments A/C.3/41/L.78) and the draft resolution contained in document A/C.3/41/L.1, as amended, without a vote (see para. 45, draft resolution VII).

H Draft resolution A/C.3/41/L.33

25. At the 53rd meeting, on 21 November, the representative of Costa Rica introduced a draft resolution (A/C.3/41/L.33) entitled "Sub-Commission on Prevention of Discrimination and Protection of Minorities", sponsored by Bangladesh, Costa Rica, Cuba, Cyprus, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Honduras, India, Jordan, Panama and Uruguay, subsequently joined by Venezuela.

26. At the 57th meeting, on 25 November, the representative of Costa Rica, on behalf of the sponsors, orally revised the draft resolution by:

(a) Inserting, in the fifth preambular paragraph, the word "Profoundly" before the word "Concerned";

(b) Replacing, in subparagraph (a) of the operative paragraph, the words "until 31 December 1987" by the words "for one year".

Subsequently the Gambia joined in sponsoring the draft resolution.

27. At the same meeting, the Committee adopted draft resolution A/C.3/41/L.33, as orally revised, by a recorded vote of 114 to one, with 19 abstentions (see para. 45, draft resolution VIII). The voting was as follows: 1/

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon,

1/ Subsequently the representative of El Salvador stated that, had his delegation been present during the voting, it would have voted in favour of the draft resolution.

Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Luxembourg, New Zealand, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

28. After the adoption of the draft resolution, statements were made by the representatives of Finland (also on behalf of Denmark, Iceland, Norway and Sweden), Australia and Canada (see A/C.3/41/SR.57).

I. Draft decision A/C.3/41/L.80

29. At the 54th meeting, on 24 November, the representative of Morocco introduced a draft decision (A/C.3/41/L.80) entitled "Programme of work of the Third Committee", also sponsored by Côte d'Ivoire and Zaire. The draft decision read as follows:

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

"Question of aging

"Implementation of the World Programme of Action concerning Disabled Persons and the United Nations Decade of Disabled Persons

"Elimination of all forms of religious intolerance

"Human rights and scientific and technological developments

"Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms (with the exception of the question related to the right of development)".

30. At the 57th meeting, on 25 November, the representative of Malta, under rule 116 of the rules of procedure of the General Assembly, moved for the adjournment of the debate on draft decision A/C.3/41/L.80 until the forty-second session of the Assembly.

31. At the same meeting, the representatives of the United Kingdom of Great Britain and Northern Ireland (on behalf of the 12 States members of the European Community), the Dominican Republic, Morocco, Suriname and Singapore made statements (see A/C.3/41/SR.57).

32. At that meeting, the proposal of the representative of Malta was adopted by 73 votes to 8, with 36 abstentions.

J. Draft resolution A/C.3/41/L.81

33. At the 54th meeting, on 24 November, the representative of Denmark introduced a draft resolution (A/C.3/41/L.81) entitled "Summary or arbitrary executions", sponsored by Argentina, Australia, Austria, Belgium, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Ecuador, Finland, France, the Gambia, Greece, Iceland, Kenya, Luxembourg, Morocco, the Netherlands, Norway, Portugal, Senegal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Zambia, subsequently joined by Uganda.

34. At its 57th meeting, on 25 November, the Committee adopted draft resolution A/C.3/41/L.81 without a vote (see para. 45, draft resolution IX).

K. Draft resolution A/C.3/41/L.82

35. At the 54th meeting, on 24 November, the representative of France introduced a draft resolution (A/C.3/41/L.82) entitled "Question of enforced or involuntary disappearances", sponsored by Austria, Canada, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, France, the Gambia, Germany, Federal Republic of, Greece, Italy, Mexico, the Netherlands, Peru, Portugal, Rwanda, Senegal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia, subsequently joined by Samoa and Uganda.

36. At its 57th meeting, on 25 November, the Committee adopted draft resolution A/C.3/41/L.82 without a vote (see para. 45, draft resolution X).

L. Draft resolution A/C.3/41/L.85

37. At the 57th meeting, on 25 November, the representative of Mongolia introduced a draft resolution (A/C.3/41/L.85) entitled "Realization of the right to adequate housing", sponsored by Afghanistan, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, the German Democratic Republic, Guyana, Mongolia, Panama, Poland, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic and Viet Nam.

38. At the same meeting, the Committee adopted draft resolution A/C.3/41/L.85 by a recorded vote of 134 to none, with 2 abstentions (see para. 45, draft resolution XI). The voting was as follows:

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

Against: None.

Abstaining: Israel, United States of America.

M. Draft resolution A/C.3/41/L.88

39. At the 57th meeting, on 25 November, the representative of the Byelorussian Soviet Socialist Republic introduced a draft resolution (A/C.3/41/L.88) entitled "Status of the Convention on the Prevention and Punishment of the Crime of Genocide", also sponsored by Poland.

40. At the same meeting, the Committee adopted draft resolution A/C.3/41/L.88 without a vote (see para. 45, draft resolution XII).

N. Draft resolution A/C.3/41/L.89

41. At the 57th meeting, on 25 November, the representative of Canada introduced a draft resolution (A/C.3/41/L.89) entitled "Human rights and mass exoduses", sponsored by Australia, Canada, Colombia, Costa Rica, Germany, Federal Republic of, Japan, Jordan, Pakistan, Samoa and the Sudan.

42. At the same meeting, the Committee adopted draft resolution A/C.3/41/L.89 without a vote (see para. 45, draft resolution XIII).

O. Draft resolution A/C.3/41/L.90

43. At the 57th meeting, on 25 November, the representative of Austria introduced a draft resolution (A/C.3.41/L.90) entitled "Human rights in the administration of justice", sponsored by Argentina, Austria, Bolivia, Canada, Colombia, Costa Rica, Denmark, the Gambia, Germany, Federal Republic of, the Netherlands, New Zealand, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Zambia.

44. At the same meeting, the Committee adopted draft resolution A/C.3/41/L.90 without a vote (see para. 45, draft resolution XIV).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

DRAFT RESOLUTION I

Assistance to student refugees in southern Africa

The General Assembly,

Recalling its resolution 40/138 of 13 December 1985, in which it, inter alia, requested the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

Having considered the report of the High Commissioner on the assistance programme to student refugees from South Africa and Namibia, 2/

Noting with appreciation that some of the projects recommended in the report on assistance to student refugees in southern Africa have been successfully completed,

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

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

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

1. Takes note with satisfaction of the report of the United Nations High Commissioner for Refugees;

2. Expresses its appreciation to the Governments of Botswana, Lesotho, Swaziland and Zambia for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure which the continuing influx of those refugees exerts on facilities in their countries;

3. Also expresses its appreciation to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-operation which they have extended to the High Commissioner on matters concerning the welfare of these refugees;

4. Notes with appreciation the financial and material support provided for the student refugees by Member States, the Office of the United Nations High Commissioner for Refugees, other bodies of the United Nations system and intergovernmental and non-governmental organizations;

5. Requests the High Commissioner, in co-operation with the Secretary-General, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

6. Urges all Member States and intergovernmental and non-governmental organizations to continue contributing generously to the assistance programme for student refugees, through financial support of the regular programmes of the High Commissioner and of the projects and programmes, including unfunded projects, which were submitted to the Second International Conference on Assistance to Refugees in Africa, 3/ held at Geneva from 9 to 11 July 1984;

7. Also urges all Member States and all intergovernmental and non-governmental organizations to assist the countries of asylum materially and otherwise to enable them to continue to discharge their humanitarian obligations towards refugees;

8. Appeals to the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and all other competent United Nations bodies, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance so as to facilitate and expedite the settlement of student refugees from South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

9. Calls upon agencies and programmes of the United Nations system to continue co-operating with the Secretary-General and the High Commissioner in the implementation of humanitarian programmes of assistance for the student refugees in southern Africa;

10. Requests the High Commissioner, in co-operation with the Secretary-General, to continue to keep the matter under review, to apprise the Economic and Social Council, at its second regular session of 1987, of the current status of the programmes and to report to the General Assembly at its forty-second session on the implementation of the present resolution.

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

DRAFT RESOLUTION II

Humanitarian assistance to refugees in Djibouti

The General Assembly,

Recalling its resolution 40/134 of 13 December 1985 on humanitarian assistance to refugees in Djibouti and all its previous resolutions on this question,

Having considered the report of the United Nations High Commissioner for Refugees on humanitarian assistance to refugees in Djibouti, 4/

Deeply concerned about the plight of the refugees and displaced persons in the country, which has been aggravated by the devastating effects of the prolonged drought,

Aware of the heavy economic and social burden placed on the Government and people of Djibouti as a result of the presence of refugees and of the consequent impact on the development and infrastructure of the country,

Appreciating the determined and sustained effort made by the Government of Djibouti, despite its modest economic resources and limited means, to cope with the growing needs of the refugees,

Noting with appreciation the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to implement appropriate and lasting solutions in respect of the refugees in Djibouti,

Appreciating the assistance provided by Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies to the relief and rehabilitation programmes for the refugees and displaced persons in Djibouti,

1. Takes note of the report of the United Nations High Commissioner for Refugees on humanitarian assistance to refugees in Djibouti and appreciates his efforts to keep their situation under constant review;

2. Welcomes the steps taken by the Government of Djibouti, in close co-operation with the High Commissioner, to implement adequate and lasting solutions in respect of the refugees in Djibouti;

3. Expresses its appreciation to Member States, the specialized agencies, intergovernmental and non-governmental organizations and voluntary agencies for their assistance to the relief and rehabilitation programmes for the refugees and displaced persons in Djibouti;

4/ A/41/515.

4. Urges the High Commissioner to intensify his efforts to mobilize, on an emergency basis, the necessary resources to implement lasting solutions in respect of the refugees in Djibouti;

5. Calls upon all Member States, the organizations of the United Nations system, the specialized agencies, intergovernmental and non-governmental organizations to continue to support the determined and constant efforts made by the Government of Djibouti to cope with the emergency needs of the refugees and to implement lasting solutions in respect of the problem;

6. Requests the Secretary-General to report to the General Assembly at its forty-second session, through the Economic and Social Council, on the implementation of the present resolution.

DRAFT RESOLUTION III

Assistance to refugees in Somalia

The General Assembly,

Recalling its resolutions 35/180 of 15 December 1980, 36/153 of 16 December 1981, 37/174 of 17 December 1982, 38/88 of 16 December 1983, 39/104 of 14 November 1984 and 40/132 of 13 December 1985 on the question of assistance to refugees in Somalia,

Taking note of the report of the United Nations High Commissioner for Refugees on assistance to refugees in Somalia, 5/ in particular section IV of that report,

Also taking note of the report of the Secretary-General on assistance to refugees in Africa, 6/

Deeply concerned by the heavy burden that has been placed on the fragile economy of Somalia by the continuing presence of large numbers of refugees,

Aware of the additional burden imposed by the new influx of refugees and the consequent urgent need for additional international assistance,

Concerned about the continuing and serious shortfalls in the provision of food assistance, which have resulted in dangerous ration restrictions, epidemics related to malnutrition, other shortages and extreme hardship in refugee camps in Somalia,

5/ A/41/514.

6/ A/41/572.

Concerned also that continuing funding difficulties have necessitated a reduction in normal programmes, which would entail reductions in staff and programmes, as well as the cancellation of some long-term agricultural projects,

Recognizing from the recommendations contained in the report of the High Commissioner that there remains an urgent need for increased assistance in the provision of food, water and medicines, in the areas of transport and logistics, shelter and domestic items, construction, the strengthening of health and educational facilities, and the expansion of the number of self-help schemes and small-scale farming and settlement projects necessary for the promotion of self-reliance among the refugees,

Conscious of the continued consequences of the social and economic burden placed on the Government and people of Somalia as a result of the continued presence of refugees and new refugee flows and the consequent impact on national development and the infrastructure of the country,

1. Takes note of the report of the United Nations High Commissioner for Refugees;

2. Commends the measures that the Government of Somalia is taking to provide material and humanitarian assistance to refugees in spite of the limited resources and the fragile economy of Somalia;

3. Expresses its appreciation to the Secretary-General and the High Commissioner for their continued efforts to mobilize international assistance on behalf of the refugees in Somalia;

4. Takes note with satisfaction of the assistance rendered to refugees in Somalia by various Member States, the Office of the United Nations High Commissioner for Refugees, the World Food Programme, the United Nations Children's Fund and other concerned intergovernmental and non-governmental organizations;

5. Appeals to Member States, international organizations and voluntary agencies to render maximum and timely material, financial and technical assistance to the Government of Somalia in its efforts to provide all necessary assistance to the refugees and to enable the Office of the High Commissioner to restore its original programmes to their normal scale;

6. Requests the Secretary-General, in co-operation with the Office of the High Commissioner, the United Nations Development Programme and other relevant United Nations agencies, to dispatch a high-level inter-agency mission to Somalia to review existing refugee programmes, taking into account the country's extremely limited resources and the refugee burden on its economy and vital public services, and to prepare a comprehensive programme of assistance, combining both refugee-related humanitarian and developmental needs, for eventual submission to the international community;

7. Requests the High Commissioner, in consultation with the Secretary-General, to apprise the Economic and Social Council, at its second regular session of 1987, of the refugee situation in Somalia;

8. Also requests the High Commissioner, in consultation with the Secretary-General, to submit a report to the General Assembly at its forty-second session on the progress achieved in the implementation of the present resolution.

DRAFT RESOLUTION IV

Situation of refugees in the Sudan

The General Assembly,

Recalling its resolutions 35/181 of 15 December 1980, 36/158 of 16 December 1981, 37/173 of 17 December 1982, 38/90 of 16 December 1983, 39/108 of 14 December 1984 and 40/135 of 13 December 1985 on the situation of refugees in the Sudan,

Having considered the report of the Secretary-General on the situation of refugees in the Sudan and the report of the inter-agency mission annexed to it, 7/

Appreciating the measures which the Government of the Sudan is taking in order to provide shelter, protection, food, education, and health and other humanitarian services to a very large and persistent number of refugees in the Sudan,

Recognizing the heavy burden placed on the people and Government of the Sudan and the sacrifices they are making in caring for the refugees and the need for adequate international assistance to enable them to continue their efforts to provide assistance to the refugees,

Gravely concerned at the serious social and economic impact of the massive presence of refugees, as well as its far-reaching consequences for the country's development, security and stability,

Expressing its appreciation for the assistance rendered by Member States and intergovernmental and non-governmental organizations in support of the refugee programme in the Sudan.

Bearing in mind the findings and recommendations of the inter-agency mission to the Sudan, particularly the suggestion that the international

community should explore new and effective approaches to ensure that the burden of dealing with refugees is shared more equitably, 8/

Recognizing the need to view refugee-related development projects within local and national development plans,

1. Takes note of the report of the Secretary-General on the implementation of resolution 40/135 7/ and welcomes the report of the inter-agency mission annexed thereto;
2. Commends the measures that the Government of the Sudan is taking to provide material and humanitarian assistance to refugees in spite of the effects of the drought and the serious economic situation it faces, and stresses the need for additional resources to lessen the impact of the presence of refugees on the economy of this least developed country;
3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees in the Sudan;
4. Expresses grave concern at the serious and far-reaching consequences of the massive presence of refugees in the country on its security, stability and development, as reflected in the report of the inter-agency mission;
5. Also expresses grave concern at the shrinking resources available for refugee programmes in the Sudan and the serious consequences of this situation on the country's ability to continue to act as host and provide assistance to refugees;
6. Requests the Secretary-General, in following up on the report of the inter-agency mission and furthering the integration of developmental and refugee aid, to take steps to ensure that continued joint inter-agency expert planning for the Sudan takes place, as suggested by the mission in its report;
7. Also requests the Secretary-General to mobilize the necessary financial and material assistance for the full implementation of the ongoing projects in the areas affected by the presence of refugees;
8. Appeals to Member States, the appropriate organs, organizations and bodies of the United Nations, intergovernmental and non-governmental organizations and the international financial institutions to provide the Government of the Sudan with the necessary resources for the implementation of development assistance projects in regions affected by the presence of refugees;

8/ See A/41/264, annex, para. 53.

9. Requests the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees in their settlements;

10. Requests the Secretary-General to report to the General Assembly at its forty-second session, through the Economic and Social Council, on the implementation of the present resolution.

DRAFT RESOLUTION V

Emergency assistance to voluntary returnees and displaced persons in Chad

The General Assembly,

Recalling its resolutions 39/106 of 14 December 1984 and 40/136 of 13 December 1985,

Taking note of the report of the Secretary-General on emergency assistance to voluntary returnees and displaced persons in Chad, 9/

Deeply concerned by the persistence of the drought and the invasion of locusts and predators, which are compounding the already precarious food and health situation in Chad,

Conscious that the large number of voluntary returnees and displaced persons as a result of the war and the drought in Chad poses a serious problem of integrating them into society,

Bearing in mind the many appeals made by the Government of Chad for international emergency assistance to the voluntary returnees and displaced persons in Chad afflicted by the war and natural disasters,

1. Endorses the appeals made by the Government of Chad concerning emergency assistance to the voluntary returnees and displaced persons in Chad;

2. Reiterates its appeal to all States and intergovernmental and non-governmental organizations to support by generous contributions the efforts being made by the Government of Chad to assist and resettle the voluntary returnees and displaced persons in Chad;

3. Takes note with satisfaction of the action undertaken by the various bodies of the United Nations system and the specialized agencies with a view to mobilizing emergency humanitarian assistance to the voluntary returnees and displaced persons in Chad;

4. Again requests the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator to mobilize emergency humanitarian assistance to the voluntary returnees and displaced persons in Chad;

5. Requests the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees and the United Nations Disaster Relief Co-ordinator, to report to the General Assembly at its forty-second session on the implementation of the present resolution.

DRAFT RESOLUTION VI

Assistance to displaced persons in Ethiopia

The General Assembly,

Recalling all its resolutions, as well as all those of the Economic and Social Council, on assistance to displaced persons in Ethiopia, in particular General Assembly resolution 40/133 of 13 December 1985,

Taking note of the report of the Secretary-General on assistance to displaced persons in Ethiopia, 10/

Having considered the report of the United Nations High Commissioner for Refugees, 11/

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

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

Aware of the heavy burden placed on the Government of Ethiopia in caring for displaced persons and victims of natural disasters, as well as for returnees and refugees,

1. Commends the efforts made so far by the Office of the United Nations High Commissioner for Refugees and other organizations of the United Nations system, as well as by the specialized agencies, in mobilizing humanitarian assistance to assist the efforts of the Government of Ethiopia;

2. Appeals to Member States and to international organizations and voluntary agencies to render adequate material, financial and technical assistance to the Government and people of Ethiopia in their efforts to provide relief and rehabilitation to displaced persons, voluntary returnees and refugees in Ethiopia;

3. Requests the United Nations High Commissioner for Refugees to continue his efforts in mobilizing humanitarian assistance for the relief, rehabilitation and resettlement of voluntary returnees and refugees in Ethiopia;

10/ A/41/516.

11/ Official Records of the General Assembly, Forty-first Session, Supplement No. 12 (A/41/12).

4. Requests the Secretary-General, in co-operation with the High Commissioner, to apprise the Economic and Social Council, at its second regular session of 1987, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-second session.

DRAFT RESOLUTION VII

Implementation of the Declaration on Social
Progress and Development

The General Assembly,

Recalling the Declaration on Social Progress and Development, 12/ based on the Charter of the United Nations and solemnly proclaimed on 11 December 1969,

Recalling also its resolutions 2543 (XXIV) of 11 December 1969 and 34/59 of 29 November 1979 on the implementation of the Declaration,

Recalling further its resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade, 33/48 of 14 December 1978 on world social development, and 34/152 of 17 December 1979 and 37/54 of 3 December 1982 on the world social situation,

Convinced that international peace and security, on the one hand, and social progress and economic development, on the other, are closely interdependent and influence each other,

Bearing in mind that the ultimate aim of development is the constant improvement of the social situation of entire populations and ensuring their full participation in the process of development and the fair distribution of the benefits therefrom,

Re-affirming that social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice,

Aware of the fact that, fifteen years after the adoption and proclamation of the Declaration on Social Progress and Development, its main objectives, embodied also in the International Development Strategy for the Third United Nations Development Decade, inter alia, the elimination of unemployment, hunger, malnutrition and poverty, the eradication of illiteracy, the assurance of the right to universal access to culture, the provision of

12/ Resolution 2542 (XXIV).

health protection of the entire population, the provision of free, universal education at the primary level and the promotion of human rights and social justice, have not yet been universally realized,

Recalling that the peoples of the United Nations expressed in the Charter of the United Nations their determination to save future generations from the scourge of war and to promote social progress and better standards of life in larger freedom,

Fully conscious of the urgent need to intensify the efforts by the international community and relevant organs, organizations and bodies of the United Nations system to achieve the objectives set forth in the Declaration on Social Progress and Development and in the International Development Strategy for the Third United Nations Development Decade,

1. Reaffirms the lasting validity and importance of the principles and objectives proclaimed in the Declaration on Social Progress and Development;
2. Urges all States and relevant organs, organizations and bodies of the United Nations system to take the Declaration resolutely into consideration and, in their policies, plans, programmes and the implementation machinery, increasingly to take into consideration, as far as they are concerned, the principles, objectives, means and methods of the Declaration;
3. Urges all Governments to take into account the provisions of the Declaration in their bilateral and multilateral relations in the field of development;
4. Recommends that international organizations and agencies concerned with development should consider the Declaration as an important international document in the formulation of strategies and programmes designed to achieve social progress and development, and that it be taken into consideration in the drafting of instruments that the United Nations may undertake in the field of social progress and development;
5. Requests the Secretary-General to prepare a substantive report on possible ways and means of increasing the contribution of the relevant organs, organizations and bodies of the United Nations system, as far as they are concerned, to achieving the full realization of the principles and objectives contained in the Declaration and to submit it, through the Commission for Social Development and the Economic and Social Council, to the General Assembly at its forty-fourth session;
6. Also requests the Secretary-General to prepare a draft framework of the above-mentioned substantive report and to submit it to the Commission for Social Development at its thirtieth session in order to allow the Commission to make suggestions in regard to the preparation of that report;
7. Further requests the Secretary-General to continue to inform the General Assembly, in a summary form in annexes to the reports on the world social situation, of the measures adopted by Governments - not included in

other reports provided on a regular basis - and by the international organizations concerned for the realization of the provisions of the Declaration and for the implementation of the present resolution.

DRAFT RESOLUTION VIII

Sub-Commission on Prevention of Discrimination and Protection of Minorities

The General Assembly,

Having considered, under the item entitled "Report of the Economic and Social Council", the work of the Commission on Human Rights and the work now being done by the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Mindful of the importance of the work being done by both the Commission and the Sub-Commission in the promotion and protection of human rights and fundamental freedoms,

Bearing in mind, in particular, that the Sub-Commission is now in the final stage of its consideration of topics of great importance, such as those relating to the results achieved and the obstacles encountered during the Decade to Combat Racism and Racial Discrimination; the independence and the impartiality of the judiciary, juries and legal advisers and the independence of lawyers; the status of the individual in present-day international law; the present dimensions of the problem of intolerance and discrimination based on religion or belief; the right to an adequate diet as a human right; and the right to leave any country, including one's own, and to return to one's country,

Convinced that it would be highly beneficial for the present members of the Sub-Commission to continue the work needed to complete those studies and to consider the final reports on them at the forthcoming thirty-ninth session of the Sub-Commission in 1987 since they have taken an active part in those studies and provided the necessary guidance to the specific rapporteurs for the drafting of their reports,

Profoundly concerned by the fact that the thirty-ninth session of the Sub-Commission, which was to have been held in 1986, has been postponed until 1987 owing to the current financial situation of the United Nations,

Recalling that, in its resolution 1985/28 of 11 March 1985, the Commission on Human Rights endorsed the desirability of better continuity in the work of the Sub-Commission,

Recalling further that in its resolution 1986/35 of 23 May 1986, the Economic and Social Council established a new procedure for the election of the members of the Sub-Commission with the object of ensuring that continuity,

Bearing in mind that in 1949 13/ and 1956 14/, as an exception, the mandates of the experts then serving on the Sub-Commission were extended,

Recommends that the Economic and Social Council, at its organizational session for 1987, decide:

(a) To extend the mandate of the present members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for one year in order to ensure their participation in the thirty-ninth session of the Sub-Commission, to be held in 1987;

(b) To postpone until the forty-fourth session of the Commission on Human Rights, in 1988, the election of new members of the Sub-Commission scheduled to be held during the forty-third session of the Commission, in 1987, and to ensure that the election is governed by the procedure established in Economic and Social Council resolution 1986/35;

(c) That the Sub-Commission resulting from the election discussed in subparagraph (b) above should begin to exercise its mandate, in accordance with present practice, immediately following that election.

DRAFT RESOLUTION IX

Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights, 15/ which states that every human being has the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights, 16/ which states that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

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

13/ E/1371, para. 13 (d).

14/ E/2844, para. 122.

15/ Resolution 217 A (III).

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

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

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

Recalling resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 17/ in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Welcoming Economic and Social Council resolution 1984/50 of 25 May 1984, and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15, 18/ as well as the ongoing work on summary or arbitrary executions within the Committee on Crime Prevention and Control,

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

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

1. Strongly condemns once again the large number of summary or arbitrary executions, including extra-legal executions, which continue to take place in various parts of the world;
2. Demands that the practice of summary or arbitrary executions be brought to an end;
3. Welcomes Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint for one year a special rapporteur to examine the questions related to summary or arbitrary executions;

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

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

4. Also welcomes Economic and Social Council resolution 1986/36 of 23 May 1986, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for a further year and requested the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-third session;
5. Urges all Governments and all others concerned to co-operate with and assist the Special Rapporteur of the Commission on Human Rights in order that he may carry out his mandate effectively;
6. Requests the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred;
7. Endorses the recommendation of the Special Rapporteur in his report 19/ to the forty-second session of the Commission on Human Rights on the need to develop international standards to ensure that proper investigations are conducted by appropriate authorities into all cases of suspicious death, including provisions for adequate autopsies;
8. Invites the Special Rapporteur to receive information from appropriate United Nations bodies and other international organizations and to examine the elements to be included in such standards and to report to the Commission on Human Rights at its forty-third session on progress made in this respect;
9. Considers that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council;
10. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;
11. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights 16/ appear not to be respected;
12. Requests the Commission on Human Rights at its forty-third session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40 and 1986/36, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

19/ E/CN.4/1986/21.

DRAFT RESOLUTION X

Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 40/147 of 13 December 1985 on the question of enforced or involuntary disappearances,

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

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

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

Bearing in mind Commission on Human Rights resolution 1986/55 of 11 March 1986, 20/ in which the Commission decided to extend for two years, on an experimental basis, the term of the mandate of the Working Group on Enforced or Involuntary Disappearances, and Economic and Social Council decision 1986/139 of 23 May 1986, in which the Council approved the Commission's decision,

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;
2. Welcomes the decision of the Commission on Human Rights to extend for two years, on an experimental basis, the term of the mandate of the Working Group, as defined in Commission on Human Rights resolution 20 (XXXVI), of 29 February 1980, while maintaining the principle of annual reporting by the Group;
3. Also welcomes the provisions made by the Commission on Human Rights in its resolution 1986/55 to enable the Working Group to fulfil its mandate with even greater efficiency;
4. Appeals to all Governments, particularly those which have not yet replied to the communications addressed to them by the Working Group, to co-operate fully with the Group so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role;

20/ See Official Records of the Economic and Social Council, 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

5. Encourages the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling the Group to fulfil its mandate even more effectively;

6. Calls upon the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Group to the Commission at its forty-third session;

7. Renews its request to the Secretary-General to continue to provide the Working Group with all necessary facilities.

DRAFT RESOLUTION XI

Realization of the right to adequate housing

The General Assembly,

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

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

Bearing in mind that the Universal Declaration of Human Rights 21/ and the International Covenant on Economic, Social and Cultural Rights 22/ provide that all persons have the right to an adequate standard of living for themselves and their families, including adequate housing, and that States should take appropriate steps to ensure the realization of this right,

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

Noting also that the United Nations Centre for Human Settlements (Habitat) has been designated as the body responsible for organizing the International Year of Shelter for the Homeless,

Taking into account Economic and Social Council resolution 1986/41 of 23 May 1986,

1. Expresses its deep concern that millions of people do not enjoy the right to adequate housing;

21/ Resolution 217 A (III).

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

2. Reiterates the need to take, at the national and international levels, measures for promoting the right of all persons to an adequate standard of living for themselves and their families, including adequate housing;
3. Calls upon all States and international organizations concerned to intensify their efforts for achieving the objectives and goals of the International Year of Shelter for the Homeless;
4. Requests the Commission on Human Rights and the Economic and Social Council to give special attention to the question of the realization of the right to adequate housing during the International Year of Shelter for the Homeless;
5. Requests the Secretary-General to pay appropriate attention to the question of promoting the right to adequate housing in the information he is to provide to the General Assembly on the results of the International Year of Shelter for the Homeless.

DRAFT RESOLUTION XII

Status of the Convention on the Prevention and Punishment
of the Crime of Genocide

The General Assembly,

Recalling its resolution 260 A (III) of 9 December 1948, by which it approved and proposed for signature and ratification or accession the Convention on the Prevention and Punishment of the Crime of Genocide,

Reaffirming its conviction that genocide is a crime under international law, contrary to the spirit and aims of the United Nations,

Expressing its conviction that implementation of the provisions of the Convention by all States is necessary for the prevention and punishment of the crime of genocide,

1. Takes note of the report of the Secretary-General, 23/
2. Once again strongly condemns the crime of genocide;
3. Reaffirms the necessity of international co-operation in order to liberate mankind from such an odious crime;

4. Takes note with appreciation of the fact that 96 States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;
5. Urges those States that have not yet become parties to the Convention to ratify it or accede thereto without further delay;
6. Invites the Secretary-General to submit to the General Assembly at its forty-second session, a report on the status of the Convention.

DRAFT RESOLUTION XIII

Human rights and mass exoduses

The General Assembly,

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

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

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject, 24/

Considering the efforts which have been made to address this subject within the United Nations, in particular by the Commission on Human Rights,

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

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

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

Taking note of the final report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 25/

Taking note once again of the report of the Secretary-General on human rights and mass exoduses, 26/

Recalling its resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983, 39/117 of 14 December 1984 and 40/149 of 13 December 1985 and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980, 27/ 29 (XXXVII) of 11 March 1981, 28/ 1982/32 of 11 March 1982, 29/ 1983/35 of 8 March 1983, 30/ 1984/49 of 14 March 1984, 31/ 1985/40 of 13 March 1985, 32/ and 1986/45 of 12 March 1986, 33/

Welcoming the steps taken by the Secretary-General to establish an early warning system, as mentioned in his report on the work of the Organization to the General Assembly at its forty-first session, 34/

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

2. Invites Governments and international organizations to intensify their co-operation and assistance in world-wide efforts to address the serious problem of mass exoduses of refugees and displaced persons;

25/ A/41/324, annex.

26/ A/38/538.

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

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

29/ Ibid., 1982, Supplement No. 2 (E/1985/12 and Corr.1), chap. XXVI, sect. A.

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

31/ Ibid., 1984, Supplement No. 4 (E/1984/14), chap. II, sect. A.

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

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

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

3. Welcomes the special interest which the Secretary-General has taken in this question, and reiterates its request to him to follow closely developments in the area of human rights and mass exoduses;

4. Encourages the efforts being undertaken by the Secretary-General to enable the United Nations to anticipate and react more adequately and speedily to cases requiring humanitarian assistance, as mentioned in the report of the Secretary-General on the work of the Organization to the General Assembly at the thirty-ninth session; 35/

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

6. Decides to review the question of human rights and mass exoduses at its forty-second session.

DRAFT RESOLUTION XIV

Human rights in the administration of justice

The General Assembly,

Guided by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights, 36/ as well as the relevant provisions of the International Covenant on Civil and Political Rights, 37/ in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life,

Guided also by the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 38/ and in the International Convention on the Elimination of All Forms of Racial Discrimination, 39/

Calling attention to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 40/ and the safeguards guaranteeing protection of the rights of those facing the death penalty,

35/ Ibid., Thirty-ninth Session, Supplement No. 1 (A/39/1).

36/ Resolution 217 A (III).

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

38/ Resolution 39/46, annex.

39/ Resolution 2106 A (XX), annex.

40/ Resolution 40/34, annex.

Calling attention also to the Basic Principles on the Independence of the Judiciary, 41/ the Code of Conduct for Law Enforcement Officials 42/ and the Standard Minimum Rules for the Treatment of Prisoners, 43/

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

Recalling its resolutions 2858 (XXVI) of 20 December 1971, 3144 (XXVIII) of 14 December 1973 and 40/146 of 13 December 1985 on human rights in the administration of justice,

Acknowledging the important work accomplished by the Committee on Crime Prevention and Control at its ninth session and by the Economic and Social Council, as reflected in its resolution 1986/10 of 21 May 1986,

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

1. Deplores the continued use of cruel, inhuman or degrading treatment or punishment, prohibited under international law, and strongly condemns the practice of summary or arbitrary executions;
2. Welcomes the recommendations made by the Economic and Social Council in its resolution 1986/10 on the more effective application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, the Basic Principles on the Independence of the Judiciary, the Code of Conduct for Law Enforcement Officials and the safeguards guaranteeing protection of the rights of those facing the death penalty;
3. Welcomes also the recommendation made by the Economic and Social Council in the same resolution on the prevention and investigation of extra-legal, arbitrary or summary executions and on new developments in the area of human rights in criminal justice and international co-operation, including the role of lawyers and model agreements in criminal justice;
4. Encourages the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to give urgent

41/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2.

42/ Resolution 34/169, annex.

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

consideration to the issue of the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, taking into account the report of its Special Rapporteur on this subject; 44/

5. Reiterates its call upon Member States to spare no effort in providing for adequate mechanisms, procedures and resources so as to ensure the more effective implementation of existing standards, both in legislation and in practice;

6. Requests the Secretary-General to continue to assist Member States, at their request, in implementing these standards;

7. Also requests the Secretary-General to continue to employ his best endeavours in cases where the safeguards guaranteeing protection of the rights of those facing the death penalty are violated and to give his full support to the Special Rapporteur on summary or arbitrary executions so as to permit him to respond effectively to such violations and to promote the safeguards;

8. Requests the Economic and Social Council and, through it, the Committee on Crime Prevention and Control to keep these matters under constant review and to continue to give special attention to effective ways and means of implementing existing standards and to new developments in this area;

9. Invites the specialized agencies and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations concerned, to continue to co-operate with the Secretary-General in these endeavours;

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