

**General Assembly****Distr.
GENERAL****A/43/868
6 December 1988
ENGLISH
ORIGINAL: SPANISH****Forty-third session
Agenda item 12****REPORT OF THE ECONOMIC AND SOCIAL COUNCIL****Report of the Third Committee****Rapporteur: Mr. Carlos CASAJUANA (Spain)****I. INTRODUCTION**

1. At its 3rd plenary meeting, on 23 September 1988, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Report of the Economic and Social Council".
2. At the same meeting, the Assembly decided to allocate to the Third Committee chapters of the Council's report 1/ that were considered under the relevant items of the agenda (see A/C.3/43/2).
3. The Third Committee considered item 12 at its 49th to 58th meetings, from 22 to 30 November 1988. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/43/SR.49-58).
4. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Economic and Social Council for the year 1988 (A/43/3); 1/
 - (b) Reports of the open-ended Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families (A/C.3/43/1 and 7);

1/ To be issued as Official Records of the General Assembly, Forty-third Session, Supplement No. 3 (A/43/3/Rev.1).

(c) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (A/43/170-E/1988/25);

(d) Report of the Secretary-General on measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror (A/43/305-E/1988/26);

(e) Report of the Secretary-General on the regional arrangements for the promotion and protection of human rights (A/43/328);

(f) Report of the Secretary-General on the Status of the Convention on the Prevention and Punishment of the Crime of Genocide (A/43/478);

(g) Report of the Secretary-General on the situation of refugees in the Sudan (A/43/534);

(h) Report of the Secretary-General on assistance to refugees in Somalia (A/43/535);

(i) Report of the Secretary-General on assistance to refugees and displaced persons in Malawi (A/43/536);

(j) Report of the Secretary-General on humanitarian assistance to refugees in Djibouti (A/43/592);

(k) Report of the Secretary-General on emergency assistance to voluntary returnees and displaced persons in Chad (A/43/593 and Add.1);

(l) Report of the Secretary-General on assistance to student refugees in southern Africa (A/43/594);

(m) Report of the Secretary-General on assistance to displaced persons in Ethiopia (A/43/595);

(n) Note by the Secretary-General on human rights in Chile (A/43/624);

(o) Report of the Secretary-General on human rights in southern Lebanon (A/43/630);

(p) Note by the Secretary-General on human rights in the Islamic Republic of Iran (A/43/705);

(q) Report of the Secretary-General on the Voluntary Fund for Indigenous Populations (A/43/706);

(r) Note by the Secretary-General on the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation (A/43/735);

(s) Note by the Secretary-General on the situation of human rights in El Salvador (A/43/736);

(t) Report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (A/43/739);

(u) Note by the Secretary-General on the situation of human rights in Afghanistan (A/43/742);

(v) Report of the Secretary-General on human rights and mass exoduses (A/43/743 and Add.1);

(w) Report of the Secretary-General on international co-operation in drug abuse control (A/43/770);

(x) Letter dated 3 February 1988 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (A/43/122);

(y) Letter dated 24 February 1988 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General (A/43/165);

(z) Letter dated 11 March 1988 from the Permanent Representative of Czechoslovakia to the United Nations addressed to the Secretary-General (A/43/214);

(aa) Letter dated 22 March 1988 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General (A/43/235-S/19674);

(bb) Letter dated 30 March 1988 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General, transmitting the text of the final communiqué of the Seventeenth Islamic Conference of Foreign Ministers, "Session of Islamic Solidarity with the Uprising of the Palestinian People", held at Amman from 3 to 7 Sha'ban A.H. 1408 (21-25 March 1988) (A/43/273-S/19720);

(cc) Letter dated 13 May 1988 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/43/361);

(dd) Letter dated 27 May 1988 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General, transmitting the text of the resolutions and decisions adopted by the seventy-ninth session of the Inter-Parliamentary Union, held at Guatemala City from 8 to 16 April 1988 (A/43/370);

(ee) Letter dated 6 June 1988 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General, transmitting the texts of the final communiqué, reports and resolutions adopted by the Seventeenth Islamic Conference of Foreign Ministers, "Session on Islamic Solidarity with the Uprising of the Palestinian People", held at Amman, Jordan, from 3 to 7 Sha'ban A.H. 1408 (21-25 March 1988) (A/43/393-S/19930);

(ff) Letter dated 30 June 1988 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the Secretary-General (A/43/435-S/19974);

(gg) Letter dated 5 July 1988 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General (A/43/446);

(hh) Letter dated 11 July 1988 from the Head of the Delegation of the German Democratic Republic to the Economic and Social Council at its second regular session of 1988 addressed to the Secretary-General (A/43/457-E/1988/102);

(ii) Letter dated 12 July 1988 from the Head of the Delegation of the Union of Soviet Socialist Republics to the Economic and Social Council at its second regular session of 1988 addressed to the Secretary-General (A/43/460-E/1988/104);

(jj) Letter dated 16 August 1988 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the Secretary-General (A/43/544);

(kk) Letter dated 2 September 1988 from the Permanent Representative of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/43/587);

(ll) Letter dated 6 September 1988 from the Chargé d'affaires a.i. of the Permanent Mission of Chile to the United Nations addressed to the Secretary-General (A/43/590);

(mm) Letter dated 12 September 1988 from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General (A/43/604);

(nn) Letter dated 8 September 1988 from the Chargé d'affaires a.i. of the Permanent Mission of El Salvador to the United Nations addressed to the Secretary-General (A/43/617);

(oo) Note verbale dated 25 October 1988 from the Permanent Mission of Bulgaria to the United Nations addressed to the Secretary-General, transmitting the text of the resolutions adopted by the Inter-Parliamentary Union at the conference held at Sofia from 19 to 24 September 1988 (A/43/759);

(pp) Letter dated 23 September 1988 from the Permanent Representative of El Salvador to the United Nations addressed to the Secretary-General (A/C.3/43/3);

(qq) Note by the Secretariat transmitting the text of a draft resolution entitled "Strengthening of international co-operation in the field of human rights" (A/C.3/43/L.2);

(rr) Note by the Secretariat transmitting the text of a draft decision entitled "Programme of work of the Third Committee" (A/C.3/43/L.3);

(ss) Letter dated 29 September 1988 from the Permanent Representative of El Salvador to the United Nations addressed to the Secretary-General (A/C.3/43/4).

5. At the 49th meeting, on 22 November, the Deputy Director of the Centre for Human Rights made an introductory statement (see A/C.3/43/SR.49).

6. At the same meeting, the Under-Secretary-General, United Nations Disaster Relief Co-ordinator, made a statement (see A/C.3/43/SR.49).

7. Also at the same meeting, the Special Rapporteur on mercenaries, Mr. Bernales Ballesteros, introduced his report on mercenaries (A/43/735), the Special representative of the Commission on Human Rights, Mr. Galindo Pohl, introduced his report on the situation of human rights in the Islamic Republic of Iran, the Special Rapporteur, Mr. Ermacora, introduced his report on the situation of human rights in Afghanistan and the Special Rapporteur, Mr. Volio Jiménez, introduced his report on the situation of human rights in Chile (see A/C.3/43/SR.49).

8. At the same meeting, the Chief of the Special Procedures Unit, Centre for Human Rights, introduced the interim report on the situation of human rights in El Salvador, on behalf of the Special Representative of the Commission on Human Rights, Mr. Pastor Ridruejo (see A/C.3/43/SR.49).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/43/L.2

9. By its decision 42/424 of 7 December 1987, the General Assembly, on the recommendation of the Third Committee (A/42/803/Add.1, para 113), decided to defer until its forty-third session consideration of the draft resolution entitled "Strengthening of international co-operation in the field of human rights" (A/C.3/42/L.89/Rev.1, as orally revised). The draft decision was before the Committee in document A/C.3/43/L.2 and read as follows:

"The General Assembly,

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

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

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

Declaration of Human Rights, 2/ the International Covenant on Civil and Political Rights, 3/ the International Covenant on Economic, Social and Cultural Rights 3/ and other relevant international instruments,

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

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

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

"Taking into consideration the report of the Secretary-General, 5/

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

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

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

2/ Resolution 217 A (III).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. At the 56th meeting, on 29 November, statements were made by the representative of Morocco and the Ukrainian Soviet Socialist Republic, as well as by the Chairman of the Committee.

11. At its 57th meeting, on 30 November, at the proposal of the Chairman, the Committee decided to take no action on the draft resolution.

B. Draft decision A/C.3/43/L.3

12. By its decision 42/423 of 7 December 1987, the General Assembly, on the recommendation of the Third Committee (A/42/803/Add.1, para 113), decided to defer until its forty-third session consideration of the draft decision entitled "Programme of work of the Third Committee" (see A/C.3/42/L.8). The draft decision was before the Committee in document A/C.3/43/L.3 and read as follows:

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

"85. Question of aging.

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

"94. Elimination of all forms of religious intolerance.

"95. Human rights and scientific and technological developments.

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

13. At the 56th meeting, on 29 November, the representative of Morocco made a statement.

14. At the same meeting, at the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it defer consideration of the draft decision to its forty-fourth session (see para. 108, draft decision I).

C. Draft resolution A/C.3/43/L.41 and Rev.1

15. On 14 November 1988, Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Samoa and the United Kingdom of Great Britain and Northern Ireland submitted a draft resolution

(A/C.3/43/L.41), entitled "Situation of human rights in the Islamic Republic of Iran". The draft resolution read as follows:

"The General Assembly,

"Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights ^{6/} and the International Covenants on Human Rights, ^{7/}

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

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

"Recalling, in particular, Commission on Human Rights resolution 1988/69 of 10 March 1988, ^{8/} by which the Commission decided to extend the mandate of its Special Representative for one year and requested him to present an interim report to the General Assembly at its forty-third session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, and a final report to the Commission at its forty-fifth session,

"Taking note of the Special Representative's view that the Government of the Islamic Republic of Iran continued, during the period under consideration, to indicate its willingness to increase gradually its co-operation with the competent United Nations organs,

"Recognizing as a positive development the undertaking by the Iranian authorities to provide a detailed response to allegations of violations of human rights,

"Noting, nevertheless, that a detailed response to individual allegations brought to the attention of the Government of the Islamic Republic of Iran by the Special Representative has yet to be received,

"Regretting that, notwithstanding the indication of a greater willingness to co-operate with the Special Representative, a state of full co-operation has yet to be achieved,

^{6/} Resolution 217 A (III).

^{7/} See resolution 2200 A (XXI), annex.

^{8/} See Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

"Noting that the Baha'is in the Islamic Republic of Iran continue to be subjected to various forms of harassment and discrimination, although there are indications that the intensity of the campaign of persecution against the Baha'is diminished somewhat in recent months and that a number of Baha'is have been released from prison,

"1. Takes note with appreciation of the interim report of the Special Representative and the considerations and the observations contained therein; 2/

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

"3. Calls upon the Government of the Islamic Republic of Iran to give immediate effect to its undertaking to provide detailed information concerning the allegations of human rights violations that have been brought to its attention;

"4. Expresses once more its deep concern about the numerous and detailed allegations of grave human rights violations in the Islamic Republic of Iran to which the Special Representative has referred in his report, namely, those related to the right to life, the right to freedom from torture or cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person, the right to a fair trial and the right to freedom of thought, conscience and religion;

"5. Expresses its grave concern that, although the Special Representative observes that the number of alleged violations of the right to life continued to decrease during 1987, the information available to him indicates that there was a renewed wave of executions in the period July-September 1988 resulting in the deaths of a large number of persons because of their political convictions;

"6. Expresses its deep concern at allegations that ill-treatment and torture, both physical and psychological, continued to be common in Iranian prisons, especially during interrogation but also immediately after arrest and before and after the final verdict;

"7. Expresses its deep concern also at the existence of extremely summary, informal and irregular proceedings, failure to inform defendants of specific accusations against them, lack of legal counsel, absence of an appropriate instance for appeal and other irregularities that contravene the international standards on fair trial;

"8. Shares the opinion of the Special Representative regarding the importance of prompt investigation into all allegations of irregularities in the treatment of political prisoners and other persons in custody, as well as the necessity of adequate redress for those whose human rights have been violated;

"9. Welcomes the intention of the Special Representative to consider in his report to the Commission on Human Rights at its forty-fifth session several issues pertaining to the legal system applicable in the Islamic Republic of Iran;

"10. Endorses the conclusion of the Special Representative that acts continue to occur in the Islamic Republic of Iran that are inconsistent with international instruments to which that country is bound and that the persistence of alleged violations of human rights continues to justify continuing international concern and continued monitoring by the United Nations of the situation in that country;

"11. Urges the Government of the Islamic Republic of Iran, as a State party to the International Covenant on Civil and Political Rights, 7/ to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in that Covenant;

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

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

16. At the 55th meeting, on 20 November, the representative of Australia, on behalf of Australia, Austria, Belgium, Canada, Costa Rica, Denmark, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Samoa, and the United Kingdom of Great Britain and Northern Ireland, introduced a revised draft resolution (A/C.3/43/L.41/Rev.1) entitled "Situation of human rights in the Islamic Republic of Iran".

17. At the 58th meeting, on 30 November, the representative of the Islamic Republic of Iran made a statement (see A/C.3/43/SR.58).

18. Statements were also made by the representatives of the Netherlands, Portugal, Algeria and India (see A/C.3/43/SR.58).

19. At the same meeting, the representative of Pakistan made a statement in the course of which he moved, under rule 116 of the rules of procedure of the General Assembly, the adjournment of the debate and requested that no action be taken on the draft resolution.

20. Statements in favour of the motion were made by the representatives of India and the Syrian Arab Republic and against the motion by the representatives of Australia and the Netherlands.

21. The Committee voted on the motion, which was rejected by a recorded vote of 40 to 50, with 27 abstentions. The voting was as follows: 10/

In favour: Albania, Algeria, Angola, Bahrain, Bangladesh, Bhutan, Burkina Faso, Burma, China, Cuba, Democratic Yemen, Ethiopia, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Nepal, Nicaragua, Oman, Pakistan, Panama, Qatar, Romania, Rwanda, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Uganda, United Arab Emirates, United Republic of Tanzania, Yugoslavia.

Against: Australia, Austria, Bahamas, Barbados, Belgium, Botswana, Canada, Central African Republic, Costa Rica, Côte d'Ivoire, Denmark, Dominica, Ecuador, El Salvador, Equatorial Guinea, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Honduras, Iceland, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Lesotho, Luxembourg, Malta, Mexico, Morocco, Netherlands, New Zealand, Norway, Paraguay, Peru, Philippines, Portugal, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Sweden, Togo, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstaining: Argentina, Brazil, Brunei Darussalam, Burundi, Cameroon, Chad, Colombia, Cyprus, Egypt, Fiji, Ghana, Jordan, Kenya, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Suriname, Swaziland, Tunisia, Turkey, Uruguay, Zaire, Zambia, Zimbabwe.

22. At the same meeting, following a statement by the representative of Indonesia, the Committee adopted the revised draft resolution by a recorded vote of 55 to 23, with 38 abstentions (see para. 107, draft resolution I). The voting was as follows: 11/

10/ The representative of Rwanda subsequently indicated that his vote on the motion should have been recorded as being against and not in favour.

11/ The representative of Honduras indicated that had he been present he would have voted in favour of the draft resolution.

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

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

Abstaining: Argentina, Bangladesh, Bhutan, Brasil, Bulgaria, Burkina Faso, Burma, Burundi, Cameroon, Cyprus, Egypt, Fiji, Gabon, Ghana, Guyana, Haiti, India, Kenya, Lebanon, Liberia, Maldives, Mali, Mauritania, Morocco, Nepal, Nigeria, Saudi Arabia, Senegal, Sierra Leone, Suriname, Thailand, Tunisia, Turkey, Uganda, Yugoslavia, Zaire, Zambia, Zimbabwe.

23. After the adoption of the draft resolution, the representatives of the Dominican Republic, Italy, Honduras, the Sudan, Sweden and Costa Rica made statements.

D. Draft resolution A/C.3/43/L.55

24. At the 55th meeting, on 28 November, the representative of the Byelorussian Soviet Socialist Republic, also on behalf of Poland, introduced a draft resolution (A/C.3/43/L.55) entitled "Status of the Convention on the Prevention and Punishment of the Crime of Genocide". Subsequently Pakistan, Afghanistan and the Union of Soviet Socialist Republics joined in sponsoring the draft resolution.

25. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution II).

E. Draft resolution A/C.3/43/L.57

26. At the 55th meeting, on 28 November, the representative of Luxembourg on behalf of Australia, Belgium, Canada, Costa Rica, Denmark, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Luxembourg, the

Netherlands, Norway, Portugal, Samoa, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland introduced a draft resolution (A/C.3/43/L.57) entitled "Situation of human rights in Afghanistan".

27. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution III).

28. Statements were made by the representatives of Pakistan, Afghanistan and the Union of Soviet Socialist Republics (see A/C.3/43/SR.56).

F. Draft resolution A/C.3/43/L.63

29. At the 54th meeting, on 28 November, the representative of Sri Lanka, on behalf of Australia, Bangladesh, China, Cyprus, Fiji, Iran (Islamic Republic of), Jordan, Mongolia, Papua New Guinea, the Philippines, Samoa and Sri Lanka, introduced a draft resolution (A/C.3/43/L.63) entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region".

30. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution IV).

G. Draft resolution A/C.3/43/L.64

31. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of Algeria, Argentina, Bahrain, Bangladesh, Botswana, Cameroon, Central African Republic, Chad, China, Democratic Kampuchea, Democratic Yemen, Djibouti, Egypt, Guatemala, Guinea, India, Indonesia, Iraq, Italy, Japan, Jordan, Kuwait, Lesotho, the Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Morocco, Nepal, Nigeria, Oman, Pakistan, Panama, the Philippines, Qatar, Romania, Saudi Arabia, Senegal, 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, Zambia and Zimbabwe introduced a draft resolution (A/C.3/43/L.64) entitled "Situation of refugees in the Sudan". Subsequently, Colombia, the Niger and Sierra Leone joined in sponsoring the draft resolution.

32. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution V).

33. After the adoption of the draft resolution, the representative of Sudan made a statement (see A/C.3/43/SR.56).

H. Draft resolution A/C.3/43/L.65

34. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, the Central African Republic, Chad, China, Colombia, the Comoros, the Congo, Costa Rica, Cuba, Democratic Yemen, Djibouti, the Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, France, Gabon, the Gambia, Ghana, Greece, Guinea, Haiti, Honduras, India, Indonesia, Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Morocco, the Niger, 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, Trinidad and Tobago, Tunisia, Turkey, Uganda, the United Arab Emirates, the United Republic of Tanzania, Uruguay, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe, introduced a draft resolution (A/C.3/43/L.65) entitled

"Humanitarian assistance to refugees in Djibouti". Subsequently Djibouti joined in sponsoring the draft resolution.

35. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution VI).

36. After the adoption of the draft resolution, a statement was made by the representative of Djibouti (see A/C.3/43/SR.56).

I. Draft resolution A/C.3/43/L.66

37. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of Algeria, Burkina Faso, Burundi, Cameroon, Cape Verde, the Central African Republic, Chad, Chile, China, the Comoros, the Congo, Côte d'Ivoire, Democratic Kampuchea, Djibouti, Egypt, France, Gabon, Guinea, Haiti, Indonesia, Japan, Malawi, Mali, Morocco, the Niger, Nigeria, Rwanda, Senegal, Somalia, the Sudan, Thailand, Togo, Tunisia and Zaire, introduced a draft resolution (A/C.3/43/L.66) entitled "Emergency assistance to voluntary returnees and displaced persons in Chad". Subsequently, Colombia, Costa Rica, and the Philippines joined in sponsoring the draft resolution.

38. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution VII).

J. Draft resolution A/C.3/43/L.67

39. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of Afghanistan, Algeria, Angola, Argentina, Bangladesh, Barbados, Benin, Bolivia, Botswana, Burkina Faso, the Byelorussian Soviet Socialist Republic, Cameroon, China, the Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Egypt, Ethiopia, the German Democratic Republic, Ghana, Greece, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Kenya, the Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mongolia, Morocco, Mozambique, Nicaragua, the Niger, Nigeria, Pakistan, Panama, Poland, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Swaziland, the Syrian Arab Republic, Togo, Trinidad and Tobago, Uganda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe, introduced a draft resolution (A/C.3/43/L.67) entitled "Assistance to refugees and returnees in Ethiopia".

40. At its 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution VIII).

K. Draft resolution A/C.3/43/L.68

41. At the 54th meeting, on 28 November, the representative of Colombia, on behalf of Argentina, Brazil, Colombia, Mexico, Panama, Peru, Uruguay and Venezuela introduced a draft resolution (A/C.3/43/L.68) entitled "Situation of human rights and fundamental freedoms in El Salvador".

42. At the 56th meeting, on 29 November, following statements by the representatives of Colombia and Norway (on behalf of the Nordic countries), the Committee adopted the draft resolution without a vote (see para. 107, draft resolution IX).

43. Statements were made by the representatives of Greece (on behalf of the 12 States Members of the European Economic Community) and El Salvador (see A/C.3/43/SR.56).

L. Draft resolution A/C.3/43/L.69

44. At the 54th meeting, on 28 November, the representative of Mexico, on behalf of Algeria, Argentina, Bangladesh, Bolivia, China, Colombia, Ecuador, Greece, India, Italy, Mali, Mauritania, Mexico, Morocco, Nicaragua, Pakistan, Peru, Portugal, Rwanda, Senegal, Tunisia, Turkey and Yugoslavia introduced a draft resolution (A/C.3/43/L.69) entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers" and orally revised it by replacing the words "to continue" with the words "to conclude, if possible," in operative paragraph 5.

45. Subsequently, the Philippines and Botswana joined in sponsoring the draft resolution.

46. At the 56th meeting, on 29 November, the Committee was informed that the statement of the Secretary-General on the programme budget implications of the draft resolution, submitted in accordance with rule 153 of the rules of procedure of the General Assembly, was contained in document A/C.3/43/L.83.

47. At the same meeting, following the statement by the representative of the United States of America, the Committee adopted draft resolution A/C.3/43/L.69 by 136 votes to 1, with 2 abstentions (see para. 107, draft resolution X).

48. After the adoption of the draft resolution, statements were made by the representatives of the Federal Republic of Germany, Canada and the United Kingdom of Great Britain and Northern Ireland (see A/C.3/43/SR.56).

M. Draft resolution A/C.3/43/L.70 and Rev.1

49. On 23 November 1988, Bahrain, Bangladesh, Barbados, Botswana, Brunei Darussalam, Cameroon, Chad, China, the Comoros, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Kampuchea, Djibouti, the Dominican Republic, Egypt, the Gambia, Guinea,

Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, the Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritania, Morocco, the Niger, Oman, Pakistan, Panama, Qatar, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, the Sudan, Swaziland, the Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, the United Arab Emirates, the United States of America, Yemen, Zaire and Zambia submitted a draft resolution (A/C.3/43/L.70) entitled "Assistance to refugees in Somalia". The draft resolution read as follows:

"The General Assembly,

"Recalling its resolutions 35/180 of 15 December 1980, 36/183 of 16 December 1981, 37/174 of 17 December 1982, 38/88 of 16 December 1983, 39/104 of 14 November 1984, 40/132 of 13 December 1985, 41/138 of 4 December 1986 and 42/127 of 7 December 1987 on the question of assistance to refugees in Somalia,

"Having considered the report of the Secretary-General on assistance to refugees in Somalia, 12/

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

"Concerned by the need to ensure continuing and adequate supplies of food in refugee camps in Somalia,

"Conscious of the pressure that the refugee presence continues to impose on the public services, in particular education, health, transport and communications, and water supplies,

"Noting with concern the deleterious effect of the refugee presence on the environment, which has resulted in widespread deforestation, soil erosion and the threat of destruction to an already fragile economic balance,

"1. Takes note of the report of the Secretary-General on the implementation of resolution 42/127;

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

"3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organisations for their efforts to assist the refugees in Somalia;

"4. Calls upon the High Commissioner to ensure, as appropriate, that the care, maintenance and rehabilitation needs of the refugees are adequately covered;

"5. Appeals to Member States, international organisations and voluntary agencies to render maximum and timely material, financial and technical assistance to enable the Government of Somalia to implement the projects and activities identified in the report of the 1987 inter-agency mission annexed to the report of the Secretary-General 13/ as the basis for a comprehensive programme of action combining both refugee-related humanitarian and developmental needs;

"6. Calls upon the United Nations Development Programme to assume the leading role, as required by the Second International Conference on Assistance to Refugees in Africa, 14/ in the conceptualisation, implementation and monitoring of refugee-related projects, and to be involved in the mobilisation of the financial and technical means required, in close co-operation with the High Commissioner and the World Bank;

"7. Requests the pertinent organisations of the United Nations system, namely the Food and Agriculture Organisation of the United Nations, the International Labour Organisation, the World Health Organisation, the United Nations Educational, Scientific and Cultural Organisation and the United Nations Children's Fund, as well as the United Nations Environment Programme and the World Food Programme, to prepare, in consultation with the Government of Somalia, detailed project documentation for the implementation of those projects and activities identified in the report of the Secretary-General 15/ as priority endeavours for a comprehensive programme of action;

"8. Calls upon the United Nations Development Programme, the United Nations Environment Programme, the United Nations Sudano-Saharan Office and the Food and Agriculture Organisation of the United Nations to continue and expand their activities in Somalia, in co-operation with the Government of Somalia, to protect and rehabilitate its damaged environment;

"9. Recognises the important role that non-governmental organisations are playing with regard to programmes for the care, maintenance and rehabilitation of refugees, particularly in activities related to small-scale development projects, and in the fields of health and agriculture;

"10. Calls upon the international community to support the activities of non-governmental organisations in Somalia, in the planning and implementation of refugee projects and refugee-related development activities;

13/ A/42/645.

14/ A/39/402, annex.

15/ A/42/645, paras. 55-66.

"11. Requests the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme to apprise the Economic and Social Council at its second regular session of 1989 of the progress made in their respective fields of responsibility with regard to those provisions of the present resolution which concern them;

"12. Requests the Secretary-General, in consultation with the United Nations High Commissioner and United Nations Development Programme, to submit a report to the General Assembly at its forty-fourth session on the progress achieved in the implementation of the present resolution."

50. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of the sponsors, introduced a revised draft resolution (A/C.3/43/L.70/Rev.1) entitled "Assistance to refugees in Somalia". Subsequently, Burundi, Colombia, the Central African Republic, Nigeria and the Philippines joined in sponsoring the revised draft resolution.

51. At the 56th meeting, on 29 November, following statements by the representative of the Federal Republic of Germany and the Secretary of the Committee, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution XI).

N. Draft resolution A/C.3/43/L.71

52. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of Algeria, Botswana, Burkina Faso, Chad, Ethiopia, Kenya, Lesotho, Madagascar, Malawi, Mali, Morocco, Rwanda, Senegal, Somalia, the Sudan, Swaziland, Zaire, Zambia and Zimbabwe, introduced a draft resolution (A/C.3/43/L.71) entitled "Assistance to refugees and displaced persons in Malawi". Subsequently, Egypt, Greece, Niger and the Philippines joined in sponsoring the draft resolution.

53. At the 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution XII).

54. After the adoption of the draft resolution, a statement was made by the representative of Malawi (see A/C.3/43/SR.56).

O. Draft resolution A/C.3/43/L.72

55. At the 55th meeting, on 28 November, the representative of Zaire, on behalf of Algeria, Angola, Barbados, Botswana, Brazil, Burkina Faso, the Central African Republic, China, Côte d'Ivoire, Cuba, Cyprus, Democratic Kampuchea, Djibouti, Egypt, Ethiopia, Guinea, Haiti, India, Indonesia, Jamaica, Kenya, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, the Sudan, Swaziland, Togo, Trinidad and Tobago, Uganda, the United Republic of Tanzania, Yugoslavia, Zaire, Zambia and Zimbabwe, introduced a draft resolution (A/C.3/43/L.72) entitled "Assistance to student refugees in southern Africa". Subsequently, Burundi and the Philippines joined in sponsoring the draft resolution.

56. At the 56th meeting, on 29 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution XIII).

P. Draft resolution A/C.3/43/L.73 and Rev.1

57. On 23 November 1988, Afghanistan, Angola, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Mongolia, Nicaragua, Poland, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Viet Nam submitted a draft resolution (A/C.3/43/L.73), entitled "Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror". The draft resolution read as follows:

"The General Assembly,

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

"Aware of the determination proclaimed by the peoples of the world in the Charter to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

"Deeply alarmed at the existence of groups and organisations which still propagate totalitarian ideologies and practices, including Nazi, Fascist and neo-Fascist ones, which violate human rights and fundamental freedoms, in particular the rights to self-determination, to life, liberty and security of person and to freedom from discrimination, and which thereby threaten the purposes and principles laid down in the Charter,

"Expressing its concern that the proponents of Fascist, neo-Fascist and other totalitarian ideologies have, in a number of countries, intensified their activities and are increasingly co-ordinating them on an international scale,

"Deeply concerned that in the contemporary world there continue to exist racist, colonialist and other forms of totalitarian ideologies, régimes and practices which entail contempt for the individual or denial of the intrinsic dignity and equality of all human beings and of equality of opportunity in civil, political, economic, social and cultural spheres,

"Reaffirming that all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial, ethnic or other exclusiveness or intolerance, hatred, terror or systematic denial of human rights and fundamental freedoms, or which have such consequences, are

incompatible with the purposes and principles of the Charter, may jeopardize world peace and constitute obstacles to friendly relations between States and to the realisation of human rights and fundamental freedoms,

"Mindful of the principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity, set forth in General Assembly resolution 3074 (XXVIII) of 3 December 1973,

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

"Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971, 34/24 of 15 November 1979, 35/200 of 15 December 1980, 36/162 of 16 December 1981, 37/179 of 17 December 1982, 38/99 of 16 December 1983, 39/114 of 14 December 1984, 40/148 of 13 December 1985 and 41/160 of 4 December 1986,

"1. Again condemns all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist ideologies, based on racial, ethnic or other exclusiveness or intolerance, hatred and terror, which deprive people of basic human rights and fundamental freedoms and of equality of opportunity, and expresses its determination to combat those ideologies and practices;

"2. Urges all States to draw attention to the threats to democratic institutions by the above-mentioned ideologies and practices and to consider taking measures, in accordance with their national constitutional systems and with the provisions of the Universal Declaration of Human Rights ^{16/} and the International Covenants on Human Rights, ^{17/} to prohibit or otherwise deter activities of groups or organizations or whoever is practising those ideologies;

"3. Invites Member States to adopt, in accordance with their national constitutional systems and with the provisions of the Universal Declaration of Human Rights and the International Covenants on Human Rights, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and of war propaganda, including Nazi, Fascist and neo-Fascist ideologies;

"4. Calls upon all States, in accordance with the basic principles of international law, to refrain from practices aimed at the violation of basic human rights;

^{16/} Resolution 217 A (III).

^{17/} Resolution 2200 A (XXI), annex.

"5. Appeals to States that have not yet done so to become parties to the International Covenants on Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, 18/ the International Convention on the Elimination of All Forms of Racial Discrimination, 19/ the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity 20/ and the International Convention on the Suppression and Punishment of the Crime of Apartheid; 21/

"6. Invites all States and international organizations to submit to the Secretary-General their comments and information on the implementation of the present resolution;

"7. Requests the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its forty-fifth session in the light of the discussion that will take place in the Commission on Human Rights and on the basis of comments provided by States and international organizations."

58. At the 54th meeting, on 28 November, the representative of the German Democratic Republic, on behalf of the sponsors, introduced a revised draft resolution (A/C.3/43/L.73/Rev.1) entitled "Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror".

59. At the 57th meeting, on 30 November, the Secretary of the Committee read out a revision to the revised draft resolution whereby the word "political," was to be inserted before the words "racial or ethnic superiority".

60. At the same meeting, the representative of India made a statement in which she proposed oral amendments to draft resolution A/C.3/43/L.73/Rev.1, as follows:

(a) In the title, the words "racial intolerance, hatred and terror" were replaced by the words "apartheid, racial discrimination and racism, and the systematic denial of human rights and fundamental freedoms";

(b) In the third preambular paragraph, the words "including the practices of apartheid, racial discrimination and racism" were inserted at the end of the paragraph after the words "cultural spheres";

18/ Resolution 260 A (III), annex.

19/ Resolution 2106 A (XXVIII), annex.

20/ Resolution 2391 (XXIII), annex.

21/ Resolution 3068 (XXVIII), annex.

(c) Operative paragraph 1, which read:

"1. Again resolutely condemns all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on political, racial or ethnic exclusiveness or intolerance, hatred, terror, the systematic denial of human rights and fundamental freedoms or which have such consequences;"

was replaced by the following text:

"1. Again resolutely condemns all totalitarian and other ideologies and practices, including the Nazi, Fascist and neo-Fascist, that are based on apartheid, racial discrimination and racism, or the systematic denial of human rights and fundamental freedoms, or which have such consequences;"

61. Following statements by the representatives of Egypt and the German Democratic Republic, the Committee adopted draft resolution A/C.3/43/L.73/Rev.1, as orally revised and amended, without a vote (see para. 107, draft resolution XIV).

62. After the adoption of the draft resolution, the representative of Iceland (on behalf of the Nordic countries) made a statement (see A/C.3/43/SR.57).

Q. Draft resolution A/C.3/43/L.74

63. At the 54th meeting, on 28 November, the representative of Sweden, on behalf of Austria, Belgium, Canada, Colombia, Costa Rica, Cyprus, Denmark, Finland, France, Greece, Iceland, Italy, Kenya, Luxembourg, Morocco, the Netherlands, Norway, Portugal, Senegal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Zambia, introduced a draft resolution (A/C.3/43/L.74) entitled "Summary or arbitrary executions". Subsequently, the Federal Republic of Germany and Samoa joined in sponsoring the draft resolution.

64. At the 57th meeting, on 30 November, the representative of Sweden made a statement in which he orally revised the draft resolution by replacing, in the ninth preambular paragraph, the words "Welcoming furthermore" with the words "Taking note of".

65. At the same meeting the Committee adopted the draft resolution, as orally revised, without a vote (see para. 107, draft resolution XV).

R. Draft resolution A/C.3/43/L.75

66. At the 54th meeting, on 28 November, the representative of Belgium, on behalf of Austria, Belgium, Bolivia, Colombia, Costa Rica, Côte d'Ivoire, Gambia, Italy, Netherlands, Norway, Senegal, Togo and Uruguay introduced a draft resolution A/C.3/43/L.75 entitled "Regional arrangements for the promotion and protection of human rights". Subsequently, Ecuador, the Federal Republic of Germany and Samoa joined in sponsoring the draft resolution.

67. At the 57th meeting, on 30 November, the representative of Belgium made a statement in which she orally revised the draft resolution as follows:

Operative paragraph 6, which read:

"6. Welcomes further the announcement by the Secretary-General in his report that, for the advancement of the above-mentioned objective, it is envisaged to hold seminars in the regions concerned which will draw upon the knowledge and experience of the United Nations development agencies i. those regions, as well as on the experience gained through established arrangements in other regions;"

was replaced by the following text:

"6. Notes the announcement by the Secretary-General in his report that, for the advancement of the above-mentioned objective, it is useful to hold seminars in the regions concerned which will draw upon the knowledge and experience of the United Nations development agencies in the regions, as well as on the experience gained through established arrangements in other regions;"

68. At the same meeting, the Committee adopted the draft resolution, as orally revised, without a vote (see para. 107, draft resolution XVI).

S. Draft resolution A/C.3/43/L.76

69. At the 55th meeting, on 28 November, the representative of Austria, on behalf of Argentina, Austria, Belgium, Canada, Colombia, Costa Rica, Cyprus, Denmark, Finland, Germany, Federal Republic of, Iceland, Italy, Netherlands, New Zealand, Norway, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (A/C.3/43/L.76) entitled "Human rights in the administration of justice" and orally revised it by inserting the word "national" before the words "professional associations" in operative paragraph 7. Subsequently, Australia and Samoa joined in sponsoring the draft resolution.

70. At the 57th meeting, on 30 November, the representative of Austria made a statement in which he orally revised the draft resolution by inserting the word "concerned" after the words "regional commissions" in operative paragraph 7.

71. The representative of the United States of America made a statement.

72. At the same meeting, the Committee adopted the draft resolution, as orally revised, without a vote (see para. 107, draft resolution XVII).

T. Draft resolution A/C.3/43/L.77

73. At the 54th meeting, on 28 November, the representative of Canada, on behalf of Canada, Colombia, Costa Rica, the Federal Republic of Germany, Greece,

Guatemala, Italy, Japan, Jordan, Pakistan, Senegal, Somalia, Thailand, and the United States of America, introduced a draft resolution (A/C.3/43/L.77) entitled "Human rights and mass exoduses" and orally revised it by inserting, in operative paragraph 8, the words "to use the resources available" before the words "to consolidate and strengthen". Subsequently, Australia, Luxembourg and Samoa joined in sponsoring the draft resolution.

74. At the 57th meeting, on 30 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution XVIII).

U. Draft resolution A/C.3/43/L.78

75. At the 55th meeting, on 28 November, the representative of the Ukrainian Soviet Socialist Republic, on behalf of Austria, Canada, Hungary, and the Ukrainian Soviet Socialist Republic introduced a draft resolution (A/C.3/43/L.78) entitled "International co-operation in solving international problems of social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms" and orally revised it as follows:

(a) In the sixth preambular paragraph, the word "regional" was replaced by the word "national";

(b) In operative paragraph 6, the words "in consultative status with the Economic and Social Council" were inserted after the words "non-governmental organisations".

76. At the 57th meeting, on 30 November, the representative of the Ukrainian Soviet Socialist Republic made a statement and orally revised the draft resolution as follows:

(a) In the sixth preambular paragraph, the words "national arrangements" were replaced by the words "existing regional arrangements";

(b) In the seventh preambular paragraph, the word "any" was deleted before the word "distinction";

(c) Operative paragraph 5 which read:

"5. Urges Member States that have not yet done so to ratify or accede to the various international instruments in the field of human rights;"

was replaced by the following text:

"5. Urges Member States that have not yet done so to consider ratifying or acceding to the various international instruments in the field of human rights;"

(d) In operative paragraph 6, the words "in consultative status with the Economic and Social Council" were deleted after the words "non-governmental organisations".

77. Statements were made by the representatives of Morocco, Australia, Kenya, the Ukrainian Soviet Socialist Republic, India, Austria, the Netherlands and Egypt (see A/C.3/43/SR.57).

78. At the same meeting, the representative of Austria informed the Committee of the following additional oral revisions agreed upon during informal consultations:

(a) In the sixth preambular paragraph, the word "can" was deleted before the words "make a major contribution";

(b) In operative paragraph 1, the word "all" was deleted before the words "Member States".

79. The Committee then adopted the draft resolution, as orally revised, without a vote (see para. 107, draft resolution XIX).

V. Draft resolution A/C.3/43/L.79

80. At the 54th meeting, on 28 November, the representative of Cuba, on behalf of Bulgaria, Burkina Faso, Cuba, the Lao People's Democratic Republic, Nicaragua and Viet Nam introduced a draft resolution (A/C.3/43/L.79) entitled "Improvement of social life".

81. At the 57th meeting, on 30 November, the representative of Cuba made a statement in which he revised the draft resolution as follows:

Operative paragraph 8, which read:

"8. Requests the Secretary-General to prepare a report on the improvement of social life in the world, taking into account the observations made by Member States in accordance with the present resolutions;"

was replaced by the following text:

"8. Requests the Secretary-General to include, in his report on the implementation of the Declaration on Social Progress and Development, the results attained in the improvement of social life in the world;"

82. At the same meeting, the Committee adopted draft resolution A/C.3/43/L.79, as orally revised, by a recorded vote of 110 to 15, with 9 abstentions (see para. 107, draft resolution XX). The voting was as follows:

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

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

Abstaining: Finland, Greece, Iceland, Ireland, Italy, Japan, Malta, Spain, Sweden.

83. After the adoption of the draft resolution, the representative of Australia 22/ made a statement.

W. Draft resolution A/C.3/43/L.80

84. At the 55th meeting, on 28 November, the representative of the United States of America, on behalf of Costa Rica, the Dominican Republic, Honduras, Italy, the United States of America and Zaire introduced a draft resolution (A/C.3/43/L.80) entitled "Enhancing the effectiveness of the principle of periodic and genuine elections" and orally revised it as follows:

(a) A new preambular paragraph was inserted after the third preambular paragraph, reading as follows:

22/ The representative of Australia indicated that had he been present he would have voted against the draft resolution.

"Condemning the system of apartheid and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,";

(b) In operative paragraph 2, the words "from actual or potential abuses" were deleted after the words "the rights and interests of the governed".

85. Subsequently, Belgium, Cyprus, France, Germany, Federal Republic of, Hungary, India, Malta, the Netherlands and the Philippines joined in sponsoring the draft resolution.

86. At the 57th meeting, on 30 November, the Committee had before it amendments to draft resolution A/C.3/43/L.80, as orally revised, which were contained in document A/C.3/43/L.85 and were sponsored by Cuba, Ghana, Madagascar, Nicaragua, Nigeria, Uganda, the United Republic of Tanzania, Zambia and Zimbabwe. Subsequently, Ethiopia joined in sponsoring document A/C.3/43/L.85.

87. The amendments read as follows:

(a) The following new operative paragraph 3 was inserted and the remaining paragraphs renumbered accordingly:

"3. Affirms that, in order to build united, non-racial democratic societies in the world, apartheid, which is an affront to the conscience and dignity of mankind and is a gross violation of the human rights of the people of South Africa, should be abolished in all its forms and that the enjoyment by all South Africans of human rights and fundamental freedoms, including in particular the right to participate in a political system based on common and equal citizenship and universal franchise, is essential for the exercise of the principle of periodic and genuine elections";

(b) The words "individually and in co-operation with others" at the end of former operative paragraph 3 were deleted.

88. At the same meeting, the Secretary of the Committee made a statement.

89. The representative of the United States of America also made a statement, in which she orally revised the draft resolution by inserting a new operative paragraph after operative paragraph 3, reading as follows:

"Reaffirms that apartheid should be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections";

90. Also at the same meeting, the representative of Zimbabwe, on behalf of the sponsors, made a statement in the course of which she withdrew document A/C.3/43/L.85 (see A/C.3/43/SR.57).

91. The Committee then adopted draft resolution A/C.3/43/L.80, as orally revised, without a vote (see para. 107, draft resolution XXI).

92. After the adoption of the draft resolution, statements were made by the representatives of Mexico, Ghana, Zambia, Panama and Pakistan (see A/C.3/43/SR.57).

X. Draft resolution A/C.3/43/L.81

93. At the 54th meeting, on 28 November, the representative of Mexico, on behalf of ~~Australia, Austria, Cuba, Denmark, France, Greece, Italy, Luxembourg, Mexico, the Netherlands, Norway, Portugal, Spain and Sweden~~ introduced a draft resolution (A/C.3/43/L.81) entitled "Situation of human rights and fundamental freedoms in Chile".

94. At the same meeting, the representative of Sweden made a statement in which he withdrew his sponsorship from the draft resolution.

95. At the 57th meeting, on 30 November, it was announced that Denmark and Norway had withdrawn their sponsorship from draft resolution A/C.3/43/L.81.

96. At the same meeting, the representative of Mexico made a statement and orally revised the draft resolution by deleting from operative paragraph 9 the words "the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment".

97. The representative of Costa Rica made a statement and proposed to replace the word "other" with the word "the" before the words "pertinent available information" in operative paragraph 10.

98. The representative of Mexico, on behalf of the sponsors, made a statement and accepted the proposed amendment by Costa Rica.

99. Statements were made by the representatives of Chile, Costa Rica, Mexico, Sweden (on behalf of Denmark and Norway), Morocco and Honduras, as well as by the Chairman of the Committee (see A/C.3/43/SR.57).

100. At the same meeting, following statements by the representatives of the United States of America and Ecuador, the Committee adopted the draft resolution, as orally revised and amended, by a recorded vote of 82 to 1, with 51 abstentions (see para. 107, draft resolution XXII). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Barbados, Belgium, Benin, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Canada, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominica, Ecuador, El Salvador, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Hungary, Iceland, India, Ireland, Italy, Jamaica, Kenya, Kuwait, Lao People's Democratic

Republic, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Peru, Philippines, Poland, Portugal, Rwanda, Samoa, Senegal, Spain, Sri Lanka, Swasiland, Sweden, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Chile.

Abstaining: Bahamas, Bahrain, Bangladesh, Bhutan, Brasil, Brunei Darussalam, Burma, Cameroon, Central African Republic, Chad, China, Costa Rica, Côte d'Ivoire, Democratic Kampuchea, Djibouti, Egypt, Equatorial Guinea, Fiji, Gabon, Guyana, Haiti, Honduras, Iraq, Israel, Japan, Jordan, Lebanon, Lesotho, Liberia, Malawi, Malaysia, Maldives, Morocco, Nepal, Niger, Oman, Pakistan, Panama, Paraguay, Qatar, Saint Vincent and the Grenadines, Saudi Arabia, Sierra Leone, Singapore, Somalia, Sudan, Suriname, Turkey, United Arab Emirates, United States of America, Zaire.

101. After the adoption of the draft resolution, the representatives of the United Kingdom of Great Britain and Northern Ireland, Ireland, Japan, Colombia and Senegal made statements (see A/C.3/43/SR.57).

Y. Draft resolution A/C.3/43/L.82

102. At the 54th meeting, on 28 November, the representative of France, on behalf of Austria, Belgium, Canada, Colombia, Costa Rica, Cyprus, Denmark, France, the Federal Republic of Germany, Greece, Italy, the Netherlands, Norway, Portugal, Rwanda, Senegal, Spain, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia introduced a draft resolution (A/C.3/43/L.82) entitled "Question of enforced or involuntary disappearances". Subsequently, Luxembourg and Samoa joined in sponsoring the draft resolution.

103. At the 57th meeting, on 30 November, the Committee adopted the draft resolution without a vote (see para. 107, draft resolution XXIII).

Z. Draft decision A/C.3/43/L.86

104. At the 57th meeting, on 30 November, the representative of Norway, on behalf of Australia, Guatemala, Morocco, New Zealand, Norway, Senegal and Yugoslavia, introduced a draft decision (A/C.3/43/L.86) entitled "United Nations Voluntary Fund for Indigenous Populations". Subsequently, Luxembourg and the Netherlands joined in sponsoring the draft decision.

105. At the same meeting, the Committee adopted the draft decision without a vote (see para. 108, draft decision II).

AA. Draft decision

106. At the 58th meeting, on 30 November, at the proposal of the Chairman, the Committee decided to recommend to the General Assembly that it take note of the report of the Secretary-General on Human Rights in Southern Lebanon (A/43/630) and the report of the Secretary-General (A/43/770) on International Co-operation in Drug Abuse Control (see para. 108, draft decision III).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

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

DRAFT RESOLUTION I

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 23/ and the International Covenants on Human Rights, 24/

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

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

Recalling, in particular, Commission on Human Rights resolution 1988/69 of 10 March 1988, 25/ by which the Commission decided to extend the mandate of its Special Representative for one year and requested him to present an interim report to the General Assembly at its forty-third session on the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, and a final report to the Commission at its forty-fifth session,

Welcoming the recent cease-fire as a positive development that should contribute to a situation in which human rights and fundamental freedoms can be fully enjoyed,

Taking note of the Special Representative's view that the Government of the Islamic Republic of Iran continued, during the period under consideration, to indicate its willingness to increase gradually its co-operation with the competent United Nations organs,

23/ Resolution 217 A (III).

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

25/ See Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

Recognising as a positive development the undertaking by the Iranian authorities to provide a detailed response to allegations of violations of human rights,

Noting, nevertheless, that a detailed response to individual allegations brought to the attention of the Government of the Islamic Republic of Iran by the Special Representative has yet to be received,

Regretting that, notwithstanding the indication of a greater willingness to co-operate with the Special Representative, a state of full co-operation has yet to be achieved,

Noting the recent contacts between the Special Representative and the Government of the Islamic Republic of Iran, which it is hoped will lead to a state of full co-operation between the Special Representative and the Government of the Islamic Republic of Iran, including a visit to the Islamic Republic of Iran, so that he can fulfil his mandate,

Noting that the Baha'is in the Islamic Republic of Iran continue to be subjected to various forms of harassment and discrimination, although there are indications that the intensity of the campaign of persecution against the Baha'is has diminished somewhat in recent months and that a number of Baha'is have been released from prison,

1. Takes note with appreciation of the interim report of the Special Representative and the considerations and the observations contained therein; 26/
2. Urges once again the Government of the Islamic Republic of Iran to extend its full co-operation to the Special Representative of the Commission on Human Rights, and, in particular, to permit him to visit that country;
3. Calls upon the Government of the Islamic Republic of Iran to give immediate effect to its undertaking to provide detailed information concerning the allegations of human rights violations that have been brought to its attention;
4. Expresses once more its deep concern about the numerous and detailed allegations of grave human rights violations in the Islamic Republic of Iran to which the Special Representative has referred in his report, namely, those related to the right to life, the right to freedom from torture or cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person, the right to a fair trial and the right to freedom of thought, conscience and religion;

5. Expresses its grave concern that, although the Special Representative observes that the number of alleged violations of the right to life continued to decrease during 1987, the information available to him indicates that there was a renewed wave of executions in the period July-September 1988 resulting in the deaths of a large number of persons because of their political convictions;

6. Expresses its deep concern at allegations that ill-treatment and torture, both physical and psychological, continued to be common in Iranian prisons, especially during interrogation but also immediately after arrest and before and after the final verdict;

7. Expresses its deep concern also at the existence of extremely summary, informal and irregular proceedings, failure to inform defendants of specific accusations against them, lack of legal counsel, absence of an appropriate instance for appeal and other irregularities that contravene the international standards on fair trial;

8. Shares the opinion of the Special Representative regarding the importance of prompt investigation into all allegations of irregularities in the treatment of political prisoners and other persons in custody, as well as the necessity of adequate redress for those whose human rights have been violated;

9. Welcomes the intention of the Special Representative to consider in his report to the Commission on Human Rights at its forty-fifth session several issues pertaining to the legal system applicable in the Islamic Republic of Iran;

10. Endorses the conclusion of the Special Representative that acts continue to occur in the Islamic Republic of Iran that are inconsistent with international instruments by which that country is bound and that the persistence of alleged violations of human rights continues to justify continuing international concern and continued monitoring by the United Nations of the situation in that country;

11. Urges the Government of the Islamic Republic of Iran, as a State party to the International Covenant on Civil and Political Rights, 24/ to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in that Covenant;

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

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

DRAFT RESOLUTION II

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

The General Assembly,

Recalling its resolutions 40/142 of 13 December 1985, 41/147 of 4 December 1986 and 42/133 of 7 December 1987,

Recalling also Commission on Human Rights resolutions 1986/18 of 10 March 1986, 27/ 1987/25 of 10 March 1987 28/ and 1988/28 of 7 March 1988, 29/

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

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

Convinced that international co-operation is necessary in order to liberate mankind from such an odious crime,

Recognising that crimes of genocide have caused great losses to mankind,

Noting the report of the Secretary-General, 30/

1. Once again strongly condemns the crime of genocide;
2. Reaffirms the necessity of international co-operation in order to liberate mankind from such an odious crime;
3. Notes with satisfaction that many States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;

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

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

29/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap II. sect. A.

30/ A/43/478.

4. Expresses 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;

5. Urges those States which 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-fourth session a report on the status of the Convention.

DRAFT RESOLUTION III

Situation of human rights in Afghanistan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 31/ the International Covenants on Human Rights 32/ and the humanitarian rules set out in the Geneva Conventions of 12 August 1949, 33/

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

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

Recalling Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan with a view to formulating proposals that could contribute to ensuring full protection of the human rights of all residents of the country before, during and after the withdrawal of all foreign forces,

Recalling all other relevant resolutions, in particular its resolution 42/135 of 7 December 1987,

31/ Resolution 217 A (III).

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

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

Taking note of Commission on Human Rights resolution 1988/67 of 10 March 1988 34/ and Economic and Social Council resolution 1988/136 of 27 May 1988,

Welcoming the Geneva Agreements of 14 April 1988 as a positive development, which, when fully implemented, should contribute to the creation of a situation that will permit the full enjoyment of human rights, including the right to self-determination, by all the people of Afghanistan,

Welcoming the co-operation that the Afghan authorities have extended to international organisations, in particular to the specialised agencies of the United Nations, to the Office of the United Nations High Commissioner for Refugees and to the International Committee of the Red Cross,

Having carefully examined the interim report of the Special Rapporteur on the situation of human rights in Afghanistan, 35/ which, while recognizing some improvements in the human rights situation in the area controlled by the Afghan authorities, reveals continuing violations of fundamental human rights within the country,

Recognising that a situation of armed conflict continues to exist in Afghanistan, leaving large numbers of victims without protection or assistance and contributing to violations of human rights and humanitarian law throughout the country,

Regretting that the Special Rapporteur was unable to visit areas not under the control of the Afghan authorities,

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

2. Welcomes the co-operation that the Afghan authorities have extended to the Commission on Human Rights by permitting its Special Rapporteur to visit Afghanistan from 11 to 19 September 1988;

3. Expresses its serious concern that, in spite of improvements identified by the Special Rapporteur, acts of war continue and violations of human rights persist with the same frequency as in the past, especially affecting the civilian population and threatening the life and security of innocent men, women and children;

4. Expresses its concern that, despite the significant reduction in the

34/ Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

35/ A/43/742, annex.

numbers of political prisoners as a result of various measures, over two thousand persons are still in prison for political reasons, and urges the Afghan authorities to pursue the policy of amnesty and to guarantee that released prisoners are not placed under surveillance or harassed following their release;

5. Notes with grave concern the continuing allegations of torture and ill-treatment of prisoners on remand and political prisoners;

6. Notes with equal concern the reports of disappearances and urges the Afghan authorities to investigate the fate of all missing persons;

7. Notes also with concern indications that the economic, social and cultural situation in Afghanistan has deteriorated over the years of conflict and has now become critical;

8. Expresses its great concern that more than five million refugees remain outside the country because they fear the climate of insecurity in Afghanistan, the extensive presence of mines and explosives, and the continued bombardments of the civilian population;

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

10. Underlines that in post-war Afghanistan it will be essential to adopt concrete measures aimed at securing the observance of human rights;

11. Urges the authorities in Afghanistan to continue to extend their co-operation to the Commission on Human Rights and its Special Rapporteur;

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

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

DRAFT RESOLUTION IV

Regional arrangements for the promotion and protection
of human rights in the Asian and Pacific region

The General Assembly,

Recalling its previous resolutions, in particular resolution 41/153 of 4 December 1986, on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Recognising that regional arrangements make a major contribution to the promotion and protection of human rights and that non-governmental organisations may have a valuable role to play in this process,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Noting with appreciation the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo from 21 June to 2 July 1982, 36/ and the comments on the report of the Seminar received from the Economic and Social Commission for Asia and the Pacific and from States members of the Commission, 37/

Welcoming the designation of the Social Development Division of the Economic and Social Commission for Asia and the Pacific as a regional human rights focal point,

Recalling Commission on Human Rights resolution 1988/73 of 10 March 1988, 38/

1. Takes note of the report of the Secretary-General; 39/

2. Requests the Secretary-General to continue to assist and encourage the Executive Secretary of the Economic and Social Commission for Asia and the Pacific to pursue within existing resources the establishment of a depository centre for United Nations human rights materials within the Commission at Bangkok, the function of which would include the collection, processing and dissemination of such materials in the Asian and Pacific region;

36/ A/37/422, annex.

37/ See A/39/174-E/1984/38 and Add.1 and E/CN.4/1986/19.

38/ See Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

39/ A/43/170-E/1988/25.

3. Renews its invitation to States members of the Economic and Social Commission for Asia and the Pacific that have not yet done so to communicate to the Secretary-General as soon as possible their comments on the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region and, in particular, to address themselves to the conclusions and recommendations in the report concerning the development of regional arrangements in Asia and the Pacific;
4. Requests the Secretary-General to ensure a continuing flow of human rights material to the library of the Economic and Social Commission for Asia and the Pacific at Bangkok for appropriate dissemination in the region;
5. Takes note of the efforts of United Nations development agencies in the Asian and Pacific region to promote the human rights dimension more actively and systematically in their development activities;
6. Encourages United Nations development agencies in the Asian and Pacific region to co-ordinate with the Economic and Social Commission for Asia and the Pacific their efforts to promote the human rights dimension in their activities;
7. Welcomes the report of the Secretary-General on the successful training course on human rights teaching held at Bangkok from 12 to 23 October 1987 under the United Nations programme of advisory services in the field of human rights; 40/
8. Draws attention to the summary of discussions and conclusions in the report, in particular to the need to advance both formal and informal teaching of human rights in the region, with emphasis on the identification of target groups, particularly in rural areas;
9. Takes note of the general consensus among participants in the training course that it would be useful for the better identification of existing measures and the dissemination of materials to establish a resource library that would collect and disseminate laws, documents and other publications throughout the region;
10. Requests the Secretary-General to submit a further report to the General Assembly at its forty-fifth session, through the Economic and Social Council, incorporating information on progress achieved in the implementation of the present resolution;
11. Decides to continue its consideration of the question at its forty-fifth session.

DRAFT RESOLUTION V

Situation of refugees in the Sudan

The General Assembly,

Recalling its resolution 42/129 of 7 December 1987 and its other previous resolutions on the situation of refugees in the Sudan,

Having considered the report of the Secretary-General 41/ on the implementation of resolution 42/129 and the action taken by the concerned organisations and the report of the United Nations High Commissioner for Refugees, 42/

Expressing its appreciation for the efforts made by the Government of the Sudan for the reception of the refugees and the provision of protection, shelter, food, health, education and other humanitarian services to the ever increasing number of refugees who have been crossing the borders into the Sudan since the early 1960s,

Recognizing the heavy burden shouldered by the people and the Government of the Sudan and the sacrifices they are making in acting as host to more than one million refugees, who constitute approximately 7.5 per cent of the total population of the country,

Concerned that the great majority of the refugees have spontaneously settled in various urban and rural communities throughout the country and are thus sharing the already meagre resources and services allocated for the indigenous population,

Expressing grave concern at the devastating and far-reaching effects of the successive calamities, ranging from the 1984 drought to the heavy rains and floods and the locust infestations, that have afflicted the country, thus exacerbating the already deteriorating situation resulting from the presence of this great number of refugees,

Gravely concerned also that the Government of the Sudan, besides dealing with the difficult prevailing economic and social problems, has the additional task of taking care of more than 1.5 million nationals displaced as a result of the 1984 drought, the civil strife in the southern part of the country and the rains and floods of August 1988,

41/ A/43/534.

42/ Official Records of the General Assembly, Forty-third Session, Supplement No. 12 (A/43/12) and *ibid.*, Supplement No. 12A (A/43/12/Add.1).

Recognising the serious task undertaken by the Government of the Sudan to initiate a wide-ranging rehabilitation programme to redress the impact and damages incurred by the natural disasters,

Considering those serious circumstances, which render the Government of the Sudan less prepared than ever to meet its obligations to its own people, and the more serious consequences, which affect the capacity of the Government of the Sudan to receive and grant asylum to additional numbers of refugees,

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

1. Takes note of the report of the Secretary-General on the situation of refugees in the Sudan and expresses its appreciation for the appeal made by the Secretary-General to Member States and the appropriate organs, organisations and bodies of the United Nations;

2. Takes note also of the reports submitted by the United Nations High Commissioner for Refugees and in particular of the new trends identified in the area of refugee aid and development;

3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organisations for their efforts to assist the refugees in the Sudan;

4. Expresses grave concern at the serious and far-reaching consequences of the presence of massive numbers of refugees in the country, the security and stability of the country and the overall negative impact on its basic infrastructure, which arrests the socio-economic development of the whole country;

5. Also expresses grave concern at the shrinking resources available for refugee programmes in the Sudan and the serious consequences of this situation for the country's ability to continue to act as host and provide assistance to refugees;

6. Appeals to Member States, the appropriate organs, organisations and bodies of the United Nations system, intergovernmental and non-governmental organisations 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;

7. Requests the Secretary-General to mobilise the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees;

8. 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 settlement;

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

DRAFT RESOLUTION VI

Humanitarian assistance to refugees in Djibouti

The General Assembly,

Recalling its resolutions 41/137 of 4 December 1986 and 42/126 of 7 December 1987 on humanitarian assistance to refugees in Djibouti, as well as all its previous resolutions on this question,

Having considered the report of the Secretary-General on humanitarian assistance to refugees in Djibouti, 41/

Deeply concerned about the plight of the refugees and the constantly increasing inflow of displaced persons, which has severely affected the inadequate social services and the infrastructure of the country,

Aware of the heavy economic and social burden placed on the Government of Djibouti and the consequent unfavourable effects on the development of that country, given the delicate nature of its resources,

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

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

Appreciating the assistance provided by Member States, the specialised agencies, intergovernmental and non-governmental organisations 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 Secretary-General on humanitarian assistance to refugees in Djibouti and appreciates the efforts of the United Nations High Commissioner for Refugees 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 appropriate and lasting solutions with respect to the refugees in Djibouti;
3. Expresses its appreciation to Member States, the specialised agencies, intergovernmental and non-governmental organisations and voluntary agencies for their assistance to the relief and rehabilitation programmes for the refugees and displaced persons in Djibouti;
4. Urges the High Commissioner to intensify his efforts to mobilise, on an emergency basis, the necessary resources to implement lasting solutions with respect to the refugees in Djibouti and the constant inflow of displaced persons;
5. Calls upon all Member States, the organisations of the United Nations system, the specialised agencies and intergovernmental and non-governmental organisations to continue to support the determined and sustained efforts made by the Government of Djibouti to cope with the urgent needs of the refugees and displaced persons and to implement lasting solutions as regards their situation;
6. Requests the Secretary-General to report to the General Assembly at its forty-fourth session, through the Economic and Social Council, on the implementation of the present resolution.

DRAFT RESOLUTION VII

Emergency assistance to voluntary returnees and displaced persons in Chad

The General Assembly,

Recalling its resolution 42/128 of 7 December 1987 on emergency assistance to voluntary returnees and displaced persons in Chad, as well as all its previous resolutions on this question,

Taking note of the report of the Secretary-General on emergency humanitarian assistance to voluntary returnees and displaced persons in Chad, 44/

Deeply concerned about the persistence of the harmful effects of the drought, desertification, floods and infestations of locusts and grasshoppers, which are compounding the already precarious food and health situation in Chad,

Conscious that the large number of voluntary returnees and displaced persons resulting from the war and the drought in Chad poses a serious problem of their integration into society,

Considering that the mass return of returnees to Chad and of displaced persons in the northern region poses serious social and economic problems for the Government of Chad,

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,

1. Endorses the appeals made by the Government of Chad for emergency assistance to the voluntary returnees and displaced persons in Chad;
2. Reiterates its appeal to all States and intergovernmental and non-governmental organisations to support, by generous contributions, the efforts being made by the Government of Chad to assist and resettle the voluntary returnees and displaced persons;
3. Takes note with satisfaction of the action undertaken by the various organisations of the United Nations system and the specialised 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. Calls upon:
 - (a) The Secretary-General to continue his efforts to mobilize special humanitarian assistance for the resettlement of displaced persons in the northern region of Chad;
 - (b) The international community to support the efforts made by the Government of Chad to implement the programmes for repatriating and resettling the returnees and displaced persons in Chad;
6. 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-fourth session on the implementation of the present resolution.

DRAFT RESOLUTION VIII

Assistance to refugees and returnees in Ethiopia

The General Assembly,

Recalling all its resolutions, in particular resolution 42/139 of 7 December 1987, as well as all those of the Economic and Social Council, on assistance to displaced persons in Ethiopia,

Taking note of the report of the Secretary-General on assistance to displaced persons in Ethiopia, 45/

Having considered the report of the United Nations High Commissioner for Refugees, 46/

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

Deeply concerned at the massive flow of refugees and voluntary returnees into the country and the enormous burden this has placed on the country's infrastructure and meagre resources,

Deeply concerned also at the grave consequences this has entailed for the country's capability to grapple with the effects of the prolonged drought,

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

1. Commends the Office of the United Nations High Commissioner for Refugees and intergovernmental organisations and voluntary agencies for their assistance in mitigating the plight of the high number of refugees and voluntary returnees in Ethiopia;

2. Appeals to Member States and to international organisations and voluntary agencies to provide adequate material, financial and technical assistance for relief and rehabilitation programmes for the high number of refugees and voluntary returnees in Ethiopia;

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

45/ A/43/595.

46/ Official Records of the General Assembly, Forty-third Session, Supplement No. 12 (A/43/12) and *ibid.*, Supplement No. 12A (A/43/12/Add.1).

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 1989, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-fourth session.

DRAFT RESOLUTION IX

Situation of human rights and fundamental freedoms in El Salvador

The General Assembly,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 47/ the International Covenant on Civil and Political Rights 48/ and the humanitarian rules laid down in the Geneva Conventions of 12 August 1949 49/ and Additional Protocols I and II thereto, of 1977, 50/

Reaffirming that it is the duty of the Governments of all Member States to promote and protect human rights and fundamental freedoms and to fulfil the commitments which they have assumed pursuant to the relevant international instruments,

Recalling that, in its resolutions 35/192 of 15 December 1980, 36/155 of 16 December 1981, 37/185 of 17 December 1982, 38/101 of 16 December 1983, 39/119 of 14 December 1984, 40/139 of 13 December 1985, 41/157 of 4 December 1986 and 42/137 of 7 December 1987, the General Assembly expressed its deep concern at the situation of human rights in El Salvador,

Bearing in mind Commission on Human Rights resolutions 32 (XXXVII) of 11 March 1981, 51/ in which the Commission decided to appoint a special representative on the situation of human rights in El Salvador, 1982/28 of

47/ Resolution 217 A (III).

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

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

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

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

11 March 1982, 52/ 1983/29 of 8 March 1983, 53/ 1984/52 of 14 March 1984, 54/ 1985/35 of 13 March 1985, 55/ 1986/39 of 12 March 1986, 56/ 1987/51 of 11 March 1987, 57/ as well as its resolution 1988/65 of 10 March 1988, 58/ whereby it extended the mandate of the Special Representative for another year and requested him to report to, among other organs, the General Assembly at its forty-third session and the Commission on Human Rights at its forty-fifth session,

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

Noting that the Special Representative points out in his report 59/ that the question of human rights continues to be an important element of the current policy of the Government of El Salvador,

Concerned, however, because, as the Special Representative has pointed out in his report, there has been an increase in the number of violations of human rights in El Salvador, particularly in the form of threats to human life and integrity, frequent violations of the humanitarian rules of war as well as the systematic destruction of the economic infrastructure as a consequence of the armed conflict,

Concerned further by information reported by the Special Representative regarding the activities of the so-called "death squads",

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- 52/ Ibid., 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.
- 53/ Ibid., 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.
- 54/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.
- 55/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.
- 56/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.
- 57/ Ibid., 1987, Supplement No. 5 (E/1987/18 and Corr.1 and 2), chap. II, sect. A.
- 58/ Ibid., 1988.
- 59/ A/43/736.

Recalling that on 7 August 1987 at Guatemala City the Central American Governments signed the agreement on the "Procedures for the establishment of a firm and lasting peace in Central America", 60/ thus manifesting the political will and good faith to fulfil its provisions in order to achieve peace and stability in the region,

Convinced that the strict fulfilment of the commitments assumed by the Government of El Salvador in the agreement signed at Guatemala City will contribute to the promotion, respect and realisation of human rights and fundamental freedoms in that country,

Deeply concerned by the interruption of the dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario, the resumption of which in the context of the agreement signed at Guatemala City is one of the best ways of achieving a solution that will help to improve the situation of human rights of the Salvadorian people,

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

1. Commends the Special Representative for his report on the situation of human rights in El Salvador;
2. Notes with interest and emphasises that it is important that the Special Representative has indicated in his report that the Government of El Salvador continues to be committed to a policy of respect for human rights, although that policy is encountering difficulties with regard to its implementation;
3. Expresses, nevertheless, its concern at the fact that there has been an increase in the number of violations of human rights in El Salvador and that non-observance of the humanitarian rules of war continues to be a frequent occurrence;
4. Recognises the efforts made by the Government of El Salvador related to the investigations designed to determine the responsibility of the instigators of serious violations of human rights, and further expresses its profound concern at the fact that the capacity of the judicial system in El Salvador continues to be extremely unsatisfactory, despite the efforts of the Government, and consequently urges the competent authorities to accelerate the adoption of the reforms and measures necessary for ensuring its effectiveness;

5. Notes with satisfaction the comments of the Special Representative to the effect that new forces have been incorporated into the Salvadorian political process, in a context of pluralistic, representative and participatory democracy;

6. Notes with satisfaction that, with the consent of the Government, there have been a number of mass returns of refugees who have decided of their own free will to resettle in rural areas of conflict, and urges the competent authorities to allow and ensure that such persons are assisted in respect of their most basic health and food needs;

7. Requests, in accordance with the recommendations of the Special Representative, that the Government of El Salvador and all the authorities, courts and political forces of the country, including the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario, should adopt appropriate measures to eliminate attacks on the lives and integrity of persons, independently of, during and as a result of combat situations, as well as attacks on the economic infrastructure and, in general, all types of action constituting a violation of the fundamental rights and freedoms of the Salvadorian people;

8. Calls upon the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario, within the framework of the agreement signed at Guatemala City to make every possible effort to create conditions that would make it possible to renew a magnanimous and open dialogue, leading to the achievement of a global political solution that will end the armed conflict and promote the implementation and strengthening of a pluralistic and participatory democratic process that will involve the promotion of social justice, respect for human rights, and the full exercise of the right of the Salvadorian people to determine freely and without external interference of any kind its economic, political and social system, as recognised in the recent "National Debate";

9. Trusts that the fulfilment of the commitments assumed in the agreement on the "Procedures for the establishment of a firm and lasting peace in Central America" will lead to improving the situation of human rights in El Salvador;

10. Renews its appeal to all States to refrain from intervening in the internal situation of El Salvador and, instead of seeking in different ways to spur the prolongation and intensification of the armed conflict, to stimulate dialogue until a just and lasting peace is attained;

11. Requests the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario, with a view to humanising the conflict, to continue ensuring that the agreements for the evacuation of the war-wounded and war-injured for medical attention will not be made contingent on further prisoner exchanges and negotiations;

12. Requests the competent bodies of the United Nations system to provide such advice and assistance as the Government of El Salvador may request in order to enhance the promotion and protection of human rights and fundamental freedoms;

13. Requests the Commission on Human Rights at its forty-fifth session to consider the situation of human rights in El Salvador and the mandate of its Special Representative, taking into account the evolution of the situation of human rights in El Salvador and the developments linked to the fulfilment of the agreement signed at Guatemala City;

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

DRAFT RESOLUTION X

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

The General Assembly,

Reaffirming once more the permanent validity of the principles and standards set forth in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights, 61/ the International Covenants on Human Rights, 62/ the International Convention on the Elimination of All Forms of Racial Discrimination 63/ and the Convention on the Elimination of All Forms of Discrimination against Women, 64/

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

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

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

Recalling also its resolutions 35/198 of 15 December 1980, 36/160 of 16 December 1981, 37/170 of 17 December 1982, 38/86 of 16 December 1983, 39/102 of 14 December 1984, 40/130 of 13 December 1985, 41/151 of 4 December 1986 and 42/140 of 7 December 1987, in which it renewed the mandate of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and requested it to continue its work,

61/ Resolution 217 A (III).

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

63/ Resolution 2106 A (XX), annex.

64/ Resolution 34/180, annex.

Having examined the progress made by the Working Group at its seventh inter-sessional meeting, held from 1 to 10 June 1988, and at the current session of the General Assembly, from 27 September to 7 October 1988, during which the Group continued with the second reading of the draft convention,

1. Takes note with satisfaction of the two most recent reports of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families 65/ and, in particular, of the progress made by the Working Group on the drafting, in second reading, of the draft convention;

2. Decides that, in order to enable it to complete its task as soon as possible, the Working Group shall again hold an inter-sessional meeting of two weeks' duration in New York, immediately after the first regular session of 1989 of the Economic and Social Council;

3. Invites the Secretary-General to transmit to Governments the two most recent reports of the Working Group so as to enable the members of the Group to continue the drafting, in second reading, of the draft convention during the inter-sessional meeting to be held in the spring of 1989, as well as to transmit the results obtained at that meeting to the General Assembly for consideration during its forty-fourth session;

4. Also invites the Secretary-General to transmit the above-mentioned documents to the competent organs of the United Nations and to the international organisations concerned, for their information, so as to enable them to continue their co-operation with the Working Group;

5. Decides that the Working Group shall meet during the forty-fourth session of the General Assembly, preferably at the beginning of the session, to conclude, if possible, the second reading of the draft international convention on the protection of the rights of all migrant workers and their families;

6. Requests the Secretary-General to do everything possible to ensure adequate Secretariat services for the Working Group for the timely fulfilment of its mandate, both at its inter-sessional meeting to be held after the first regular session of 1989 of the Economic and Social Council and during the forty-fourth session of the General Assembly.

DRAFT RESOLUTION XI

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, 40/132 of 13 December 1985, 41/138 of 4 December 1986 and 42/127 of 7 December 1987 on the question of assistance to refugees in Somalia,

Having considered the report of the Secretary-General on assistance to refugees in Somalia, 66/

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

Concerned by the need to ensure continuing and adequate supplies of food in refugee camps in Somalia,

Conscious of the pressure that the refugee presence continues to impose on the public services, in particular education, health, transport and communications, and water supplies,

Noting with concern the deleterious effect of the refugee presence on the environment, which has resulted in widespread deforestation, soil erosion and the threat of destruction to an already fragile ecological balance,

1. Takes note of the report of the Secretary-General; 66/
2. Commends the measures that the Government of Somalia is taking to provide material and humanitarian assistance to refugees, in spite of its own limited resources and fragile economy;
3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organisations for their efforts to assist the refugees in Somalia;
4. Calls upon the High Commissioner for Refugees to ensure, as appropriate, that the care, maintenance and rehabilitation needs of the refugees are adequately covered;

5. Appeals to Member States, international organisations and voluntary agencies to render maximum and timely material, financial and technical assistance to enable the Government of Somalia to implement the projects and activities identified in the report of the 1987 inter-agency mission annexed to the report of the Secretary-General 67/ as the basis for a comprehensive programme of action combining both refugee-related humanitarian and developmental needs;

6. Calls upon the United Nations Development Programme to assume the leading role, as required by the Second International Conference on Assistance to Refugees in Africa, 68/ in the conceptualisation, implementation and monitoring of refugee-related projects, and to be involved in the mobilisation of the financial and technical means required, in close co-operation with the High Commissioner and the World Bank;

7. Requests the pertinent organisations of the United Nations system, namely the Food and Agriculture Organisation of the United Nations, the International Labour Organisation, the World Health Organisation, the United Nations Educational, Scientific and Cultural Organisation and the United Nations Children's Fund, as well as the United Nations Environment Programme and the World Food Programme, to prepare, in consultation with the Government of Somalia, detailed project documentation for the implementation of those projects and activities identified in the report of the Secretary-General 69/ as priority endeavours for a comprehensive programme of action;

8. Calls upon the United Nations Development Programme, the United Nations Environment Programme, the United Nations Sudano-Sahelian Office and the Food and Agriculture Organisation of the United Nations to continue and expand their activities in Somalia, in co-operation with the Government of Somalia, to protect and rehabilitate its damaged environment;

9. Recognises the important role that non-governmental organisations are playing with regard to programmes for the care, maintenance and rehabilitation of refugees, particularly in activities related to small-scale development projects, and in the fields of health and agriculture;

10. Calls upon the international community to support the activities of non-governmental organisations in Somalia, in the planning and implementation of refugee projects and refugee-related development activities;

11. Requests the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme to apprise the

67/ A/42/645.

68/ A/39/402, annex.

69/ A/42/645, paras. 55-66.

Economic and Social Council at its second regular session of 1989 of the progress made in their respective fields of responsibility with regard to those provisions of the present resolution which concern them;

12. Requests the Secretary-General, in consultation with the United Nations High Commissioner and the United Nations Development Programme, to submit a report to the General Assembly at its forty-fourth session on the progress achieved in the implementation of the present resolution.

DRAFT RESOLUTION XII

Assistance to refugees and displaced persons in Malawi

The General Assembly,

Recalling its resolution 42/132 of 7 December 1987 on assistance to refugees and displaced persons in Malawi,

Having considered the report of the Secretary-General on assistance to refugees and displaced persons in Malawi, 70/ as well as on the report of the inter-agency mission on this subject, 71/

Having examined the report of the United Nations High Commissioner for Refugees regarding the situation of refugees and displaced persons in Malawi,

Gravely concerned at the continuing serious social and economic impact of the massive presence of refugees and displaced persons, as well as its far-reaching consequences for the country's long-term development process,

Appreciating the important measures that the Government of Malawi is taking in order to provide shelter, protection, food, education and health and other humanitarian services to the thousands of refugees and displaced persons,

Recognizing the heavy burden placed on the people and Government of Malawi and the sacrifices they are making in caring for the refugees and displaced persons, given the country's limited social services and infrastructures, and the need for adequate international assistance to enable them to continue their efforts to provide assistance to the refugees and displaced persons,

Expressing its appreciation for the assistance rendered by Member States, the various organs of the United Nations, the Office of the United Nations High Commissioner for Refugees and other international organizations and

70/ A/43/536.

71/ Ibid., paras. 7-13.

intergovernmental and non-governmental organisations in support of the refugee programme in Malawi,

Bearing in mind the findings and recommendations of the inter-agency mission to Malawi, particularly on the need to strengthen the country's socio-economic infrastructure in order to enable it to provide for the immediate humanitarian relief requirements of the refugees and displaced persons as well as the long-term national development needs of the country,

Recognising 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 situation of refugees and displaced persons in Malawi, particularly with regard to the findings and recommendations of the inter-agency mission;

2. Commends the measures that the Government of Malawi is taking to provide material and humanitarian assistance to refugees and displaced persons in spite of the serious economic situation it faces, and stresses the need for additional resources to lessen the impact of the presence of refugees and displaced persons on the country's long-term development process;

3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organisations for their efforts to assist the refugees and displaced persons in Malawi;

4. Expresses grave concern at the serious and far-reaching consequences of the massive presence of refugees and displaced persons in the country and its implications for the long-term socio-economic development of the whole country;

5. Appeals to Member States, the appropriate organs, organisations and bodies of the United Nations system, intergovernmental and non-governmental organisations and the international financial institutions to continue providing the Government of Malawi with the necessary resources for the implementation of development assistance projects in regions affected by the presence of refugees and displaced persons, as well as the development programmes recommended by the inter-agency mission;

6. Requests the Secretary-General to continue his efforts to mobilise the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees and displaced persons and programmes recommended in the report of the inter-agency mission;

7. Requests the High Commissioner to continue co-ordination with the appropriate specialised agencies in order to consolidate and ensure the continuation of essential services to the refugees and displaced persons in their settlement;

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

DRAFT RESOLUTION XIII

Assistance to student refugees in southern Africa

The General Assembly,

Recalling its resolution 42/138 of 7 December 1987, in which it, inter alia, requested the United Nations High Commissioner for Refugees, 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 South Africa and Namibia who had 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, 72/

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

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

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

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

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

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

3. Also expresses its appreciation to the Governments of Botswana, Lesotho, Swasiland and Zambia for the co-operation that they have extended to the High Commissioner on matters concerning the welfare of the 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 organisations;
5. Requests the High Commissioner, in co-operation with the Secretary-General, to continue to organise and implement an effective programme of educational and other appropriate assistance for student refugees from South Africa and Namibia who have been granted asylum in Botswana, Lesotho, Swasiland and Zambia;
6. Urges all Member States and intergovernmental and non-governmental organisations 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, 73/ held at Geneva from 9 to 11 July 1984;
7. Also urges all Member States and all intergovernmental and non-governmental organisations 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 organisations, to continue providing humanitarian and development assistance so as to facilitate and expedite the settlement of student refugees from South Africa and Namibia who have been granted asylum in Botswana, Lesotho, Swasiland 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 1989, of the current status of the programmes and to report to the General Assembly at its forty-fourth session on the implementation of the present resolution.

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

DRAFT RESOLUTION XIV

Measures to be taken against Nazi, Fascist and neo-Fascist activities and all other forms of totalitarian ideologies and practices based on apartheid, racial discrimination and racism, and the systematic denial of human rights and fundamental freedoms

The General Assembly,

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

Aware of the determination proclaimed by the peoples of the world in the Charter to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Noting with regret that in the contemporary world there continue to exist various forms of totalitarian ideologies and practices which entail contempt for the individual or a denial of the intrinsic dignity and equality of all human beings and of equality of opportunity in the civil, political, economic, social and cultural spheres, including the practices of apartheid, racial discrimination and racism,

Emphasizing that the doctrines of political, racial or ethnic superiority on which the totalitarian entities and régimes are based contradict the spirit and principles of the United Nations and that the application of such doctrines in practice leads to wars, mass and flagrant violations of human rights and crimes against humanity, such as genocide, and creates serious obstacles to friendly relations among nations and the development of all countries,

Acknowledging with satisfaction the fact that many States have established legal provisions designed to prevent the revival of Nazi, Fascist and neo-Fascist groups and organisations and are extraditing war criminals and persons having committed crimes against mankind,

Mindful of the principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity, set forth in General Assembly resolution 3074 (XXVIII) of 3 December 1973,

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

Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971, 34/24 of 15 November 1979, 35/200 of 15 December 1980, 36/162 of 16 December 1981, 37/179 of 17 December 1982, 38/99 of 16 December 1983, 39/114 of 14 December 1984, 40/148 of 13 December 1985 and 41/160 of 4 December 1986,

1. Again resolutely condemns all totalitarian or other ideologies and practices, including the Nazi, Fascist and neo-Fascist, that are based on apartheid, racial discrimination and racism, or the systematic denial of human rights and fundamental freedoms, or which have such consequences;
2. Expresses its determination to resist all totalitarian ideologies, and especially their practices, which deprive people of basic human rights and fundamental freedoms and of equality of opportunity;
3. Calls upon all States to take the necessary measures to ensure the thorough investigation, detection, arrest, extradition and punishment of all war criminals and persons guilty of crimes against humanity who have not yet been brought before a court and appropriately punished;
4. Also calls upon all Governments to pay constant attention to educating the young in the spirit of respect for international law and fundamental human rights and freedoms and against Fascist, neo-Fascist and other totalitarian ideologies and practices based on terror, hatred and violence;
5. Calls upon all States, in accordance with the basic principles of international law, to refrain from practices aimed at the violation of basic human rights, particularly the right to self-determination;
6. Appeals to States that have not yet done so to consider becoming parties to the International Covenants on Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, 74/ the International Convention on the Elimination of All Forms of Racial Discrimination, 75/ the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity 76/ and the International Convention on the Suppression and Punishment of the Crime of Apartheid; 77/

74/ Resolution 260 A (III), annex.

75/ Resolution 2106 A (XXVIII), annex.

76/ Resolution 2391 (XXIII), annex.

77/ Resolution 3068 (XXVIII), annex.

7. Invites all States and international organisations to submit to the Secretary-General their comments and information on the implementation of the present resolution;

8. Requests the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its forty-fifth session in the light of the discussion that will take place in the Commission on Human Rights and on the basis of comments provided by States and international organisations.

DRAFT RESOLUTION XV

Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights, 78/ in which it is stated 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, 79/ in which it is stated that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

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

Recalling further its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986 and 42/141 of 7 December 1987,

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

78/ Resolution 217 A (III).

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

Recalling resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 80/ 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, 81/

Welcoming also the close co-operation established between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat and the Committee on Crime Prevention and Control with regard to the elaboration of the principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

Taking note of the recommendation by the Committee on Crime Prevention and Control concerning "Draft principles on the effective prevention and investigation of extra-legal, arbitrary and summary executions" for consideration and adoption by the Economic and Social Council, 82/

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. Once again strongly condemns the large number of summary or arbitrary executions, including extra-legal executions, that continue to take place in various parts of the world;
2. Demands that the practice of summary or arbitrary executions be brought to an end;
3. Appeals urgently to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organisations and non-governmental organisations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

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

81/ 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.

82/ E/AC.57/1988/L.20 and E/AC.57/1988/NGO.4.

4. Welcomes Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint a special rapporteur to consider the questions related to summary or arbitrary executions;
5. Also welcomes Economic and Social Council resolution 1988/38 of 7 May 1988, in which the Council decided to renew the mandate of the Special Rapporteur, Mr. S. A. Wako, for two years, while keeping the annual reporting cycle, 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-fifth session;
6. Urges all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;
7. 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; and furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;
8. Welcomes the recommendations made by the Special Rapporteur in his reports A3/ to the Commission on Human Rights at its forty-third and forty-fourth sessions with a view to eliminating summary or arbitrary executions;
9. Encourages Governments, international organizations and non-governmental organizations to organize training programmes and support projects with a view to training or educating law enforcement officers in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;
10. Invites Governments, international organizations and non-governmental organizations to support the efforts made in United Nations forums towards the adoption of an international instrument that would incorporate international standards for proper investigation of all cases of death in suspicious circumstances, including provision for adequate autopsy;
11. Endorses the elements proposed by the Special Rapporteur for inclusion in such international standards;
12. Considers that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United

A3/ E/CN.4/1987/20 and E/CN.4/1988/22 and Add.1 and 2.

Nations bodies, specialised agencies, regional intergovernmental organisations, non-governmental organizations in consultative status with the Economic and Social Council, as well as medical and forensic experts;

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

14. 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 79/ appear not to be respected;

15. Requests the Commission on Human Rights at its forty-fifth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40, 1986/36, 1987/60 and 1988/38, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

DRAFT RESOLUTION XVI

Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent relevant resolutions, in particular resolutions 41/153 and 41/154 of 4 December 1986, concerning regional arrangements for the promotion and protection of human rights,

Recalling that in its resolution 41/154, the General Assembly invited the Secretary-General to submit to the Assembly at its forty-third session a report on the state of regional arrangements for the promotion and protection of human rights, and to include therein the results of action taken in pursuance of that resolution,

Taking note of Commission on Human Rights resolutions 1987/37 of 10 March 1987 84/ and 1988/54 of 8 March 1988 85/ concerning advisory services in the field of human rights,

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

85/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

Taking note also of Commission on Human Rights resolutions 1987/41 of 10 March 1987 86/ and 1988/73 of 10 March 1988 87/ concerning regional arrangements for the promotion and protection of human rights in the Asian-Pacific region,

Having considered the report of the Secretary-General on regional arrangements for the promotion and protection of human rights, 88/

Noting with satisfaction the progress achieved so far in the promotion and protection of human rights at the regional level, under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organisations,

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

1. Takes note of the report of the Secretary-General; 88/
2. Notes with interest that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, particularly those relating to the organisation of regional and subregional training courses in the field of human rights;
3. Requests the Secretary-General to continue to consider the possibility of encouraging these developments;
4. Invites States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;
5. Welcomes the fact that subprogramme 5 of the medium-term plan of activities concerning advisory services and technical assistance activities in the field of human rights, to which the Secretary-General refers in his report, provides for the establishment of regional arrangements where they are still lacking;

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

87/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

88/ A/43/328.

6. Notes the announcement by the Secretary-General in his report that, for the advancement of the above-mentioned objective, it is useful to hold seminars in the regions concerned which will draw upon the knowledge and experience of the United Nations development agencies in the regions, as well as on the experience gained through established arrangements in other regions;

7. Endorses the appeal made to all Governments, in resolution 1988/54 of the Commission on Human Rights, to consider making use of the possibility offered by the United Nations of organising, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

8. Requests the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

9. Invites the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

10. Decides to consider this question further at its forty-fifth session.

DRAFT RESOLUTION XVII

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 89/ as well as the relevant provisions of the International Covenant on Civil and Political Rights, 90/ in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below 18 years of age,

Guided also by the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 91/ and in the International Convention on the Elimination of All Forms of Racial Discrimination, 92/

Calling attention to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 93/ and the safeguards guaranteeing protection of the rights of those facing the death penalty 94/ as well as to the Basic Principles on the Independence of the Judiciary, 95/ the Code of Conduct for Law Enforcement Officials 96/ and the Standard Minimum Rules for the Treatment of Prisoners, 97/

89/ Resolution 217 A (III).

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

91/ Resolution 39/46, annex.

92/ Resolution 2106 A (XX), annex.

93/ Resolution 40/34, annex.

94/ Economic and Social Council resolution 1984/50.

95/ 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.

96/ Resolution 34/169, annex.

97/ 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.

Convinced of the importance of the finalisation and adoption of the draft Body of Principles for the Protection of All Persons under Any Form of Detention and Imprisonment,

Reaffirming the importance of the principles contained in its resolution 41/120 of 4 December 1986 on standard-setting in the field of human rights,

Recalling its resolutions 40/146 of 13 December 1985, 41/149 of 4 December 1986 and 42/143 of 7 December 1987 on human rights in the administration of justice,

Recognizing the important contribution of the Commission on Human Rights in the field of human rights in the administration of justice, as reflected in its resolutions 1988/33 on human rights in the administration of justice, 1988/40 on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, 1988/43 on administrative detention without charge or trial and 1988/68 on summary or arbitrary executions,

Acknowledging the important work accomplished in this field by the United Nations crime prevention and criminal justice programme, as reaffirmed, *inter alia*, by the Economic and Social Council in its resolution 1988/44 of 27 May 1988 and the results of the Committee on Crime Prevention and Control at its tenth session,

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

1. Reaffirms the importance of the full implementation of United Nations norms and standards on human rights in the administration of justice;
2. Urges Member States to develop strategies for the practical implementation of these standards, in particular:
 - (a) To adopt in national legislation and practice existing international standards relating to human rights in the administration of justice, and to make them available to all persons concerned;
 - (b) To design realistic and effective mechanisms for the full implementation of these standards and provide the necessary administrative as well as judicial structures for their continuous monitoring;
 - (c) To devise measures to promote the observance of these standards, as well as public awareness about their important role, in particular through their widespread dissemination and through educational and promotional activities;
 - (d) To include, where appropriate, references to the implementation of these standards in their reports under the various international human rights instruments;

(e) To increase, as far as possible, their support to technical co-operation and advisory services at all levels for the more effective implementation of these standards, either directly or through international funding agencies, such as the United Nations Development Programme, when developing countries include specific projects in their country programmes;

3. Notes with appreciation that the United Nations system continues to give special attention to the elaboration of standards in this field as mandated by Economic and Social Council resolution 1986/10 of 21 May 1986, including on the use of force and firearms by law enforcement officials as well as with regard to unacknowledged detention of persons and on the independence and impartiality of the judiciary, jurors and assessors and independence of lawyers;

4. Encourages the relevant bodies within the United Nations pursuing the setting of new standards in this field to continue their efforts with regard to subjects such as extra-legal, summary or arbitrary executions, or the question of states of emergency;

5. Urges all bodies working on these issues to take fully into account the provisions of its resolution 41/120 of 4 December 1986;

6. Emphasizes the importance of education and public information programmes in this field for law students, the legal profession and all those responsible for the administration of justice;

7. Stresses the significant role of the regional commissions concerned, the specialised agencies, the United Nations institutes in the area of human rights and crime prevention and criminal justice and other organisations of the United Nations system, as well as intergovernmental and non-governmental organisations, including national professional associations concerned with promoting United Nations standards in this field;

8. Welcomes the steps initiated by the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna to ensure closer co-operation, on the prevention of crime and the treatment of offenders, on all matters of human rights in the administration of justice, especially with respect to criminal violations of human rights and mass victimisation;

9. Requests the Secretary-General:

(a) To continue to provide all necessary support to United Nations bodies working on standard-setting in this field;

(b) To continue to assist Member States, at their request, in implementing existing international human rights standards in the administration of justice, in particular under the programme of advisory services;

(c) To develop further the recently created focal points within the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs to monitor the human rights aspects of the administration of justice within the various elements of United Nations programmes in this field, as well as the work of specialised agencies, regional organisations and non-governmental organisations in consultative status, and to provide, as appropriate, advice on co-ordination and other relevant issues in this field;

(d) To co-ordinate the various technical advisory services carried out by the United Nations Centre for Human Rights and the Crime Prevention and Criminal Justice Branch with a view to undertaking joint programmes and strengthening existing mechanisms for the protection of human rights in the administration of justice;

(e) To draw the attention of special rapporteurs and working groups in the field of human rights to the importance of questions relating to the effective protection of human rights in the administration of justice, in particular with regard to states of emergency;

10. Encourages the development of diversified funding strategies, including recourse to voluntary and mixed multilateral and bilateral contributions for specific projects on human rights in the administration of justice, and the increasing involvement of United Nations development agencies, in particular the United Nations Development Programme;

11. Draws the attention of the Commission on Human Rights and its Sub-Commission on Prevention of Discrimination and Protection of Minorities as well as of the regional preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to the issues raised in the present resolution;

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

DRAFT RESOLUTION XVIII

Human rights and mass exoduses

The General Assembly,

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

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

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject 98/ and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 99/

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

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

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

Reaffirming General Assembly resolution 41/70 of 3 December 1986, in which the General Assembly endorsed the conclusions and recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees, 99/

Recalling its resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983, 39/117 of 14 December 1984, 40/149 of 13 December 1985, 41/70 of 3 December 1986, 41/148 of 4 December 1986 and 42/144 of 7 December 1987, and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980, 100/ 29 (XXXVII) of 11 March 1981, 101/ 1982/32 of 11 March 1982, 102/ 1983/35 of

98/ E/CN.4/1503.

99/ A/41/324, annex.

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

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

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

8 March 1983, 101/ 1984/49 of 14 March 1984, 104/ 1985/40 of
13 March 1985, 105/ 1986/45 of 12 March 1986, 106/ 1987/56 of
11 March 1987 107/ and 1988/70 of 10 March 1988, 108/

Welcoming 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,

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

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

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

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

5. Takes note of the report of the Secretary-General on human rights and mass exoduses; 109/

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

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

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

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

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

108/ Ibid., 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

109/ A/43/743 and Add.1.

6. Encourages the Secretary-General to continue to take the necessary steps to discharge the function and responsibilities described in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees;

7. Notes the establishment by the Secretary-General of the Office for Research and the Collection of Information to co-ordinate information-gathering and analysis with agencies so as to provide early warning on developing situations requiring the Secretary-General's attention, as well as to provide a focal point within the United Nations system for policy responses;

8. Urges the Secretary-General to use the resources available to consolidate and strengthen the system for undertaking early warning activities in the humanitarian area by, inter alia, early computerisation of the Office for Research and the Collection of Information and strengthened co-ordination among the relevant parts of the United Nations system, especially the Office for Research and the Collection of Information, as well as the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights and the relevant specialized agencies;

9. Requests the Secretary-General to report to the General Assembly at its forty-fourth session on the strengthened role that the Secretary-General could play in undertaking early warning activities, especially in the humanitarian area, as well as on any further developments relating to the recommendations contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees;

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

DRAFT RESOLUTION XIX

International co-operation in solving international problems of a social, cultural or humanitarian character, and in promoting and encouraging universal respect for, and observance of, human rights and fundamental freedoms

The General Assembly,

Recalling its resolution 41/155 of 4 December 1986 and Commission on Human Rights resolution 1987/42 of 10 March 1987, 110/

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

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

Desirous of achieving further progress in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that special emphasis should be put on the effective implementation of the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 111/ the International Covenant on Civil and Political Rights, 112/ the International Covenant on Economic, Social and Cultural Rights 112/ and other relevant international instruments,

Convinced that the effectiveness of United Nations human rights instruments would be enhanced by universal adherence to them as well as by strict compliance of State parties with their voluntarily accepted obligations,

Considering that existing regional arrangements for the promotion and protection of human rights make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field could be further improved,

Emphasizing the necessity for the international community to continue its efforts to take practical measures to prevent mass and flagrant violations and all other violations of human rights, including all forms of discrimination based on distinctions of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, which continue to take place in many parts of the world contrary to the provisions of international instruments in the field of human rights,

Noting the importance that the promotion and protection of human rights has secured on the international agenda and in relations between States,

1. Calls upon Member States to implement fully the universally recognized standards for the protection and promotion of human rights, enshrined in particular in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments;

111/ Resolution 217 A (III).

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

2. Urges all States to co-operate fully with the relevant bodies of the United Nations system as well as other intergovernmental forums dealing with the protection and promotion of human rights and fundamental freedoms in any part of the world;
3. Considers that such co-operation will make an effective and practical contribution to the implementation of human rights and fundamental freedoms for all;
4. Expresses its conviction that the promotion of and respect for human rights and fundamental freedoms, as well as the implementation of universally recognised human rights standards, is particularly important for all countries;
5. Urges Member States that have not yet done so to consider ratifying or acceding to the various international instruments in the field of human rights;
6. Recognises the value of common efforts by Governments and intergovernmental and non-governmental organisations at international, regional, bilateral and national levels in the field of human rights;
7. Considers that a world public information campaign on human rights would contribute to the promotion and improvement of understanding in the field of human rights;
8. Emphasises that the wide dissemination of information on human rights is an important task and would contribute to the implementation of universally recognised international human rights standards;
9. Decides to continue the consideration of this question at its forty-fourth session under the item entitled "Report of the Economic and Social Council".

DRAFT RESOLUTION XX

Improvement of social life

The General Assembly,

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

Recalling the principles proclaimed in the Universal Declaration of Human Rights 113/ and in the Declaration on Social Progress and Development, 114/

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

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

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

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

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

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

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

Convinced of the urgent necessity rapidly to eradicate colonialism, neo-colonialism, racism and all forms of racial discrimination, apartheid, aggression, foreign occupation and alien domination and all forms of inequality, exploitation and subjugation of peoples, which constitute major obstacles to economic and social progress as well as to the promotion of world peace and security,

Recalling its resolutions 40/100 of 13 December 1985, 41/152 of 4 December 1986 and 42/145 of 7 December 1987,

1. Acknowledges that the progress achieved in the world social situation is still inadequate despite the efforts made and that efforts should therefore be redoubled;

113/ Resolution 217 A (III).

114/ Resolution 2542 (XXIV).

2. Notes with great concern the slow progress in the implementation of the Declaration on Social Progress and Development;

3. Reaffirms that the social aspects and goals of development are an integral part of overall development and that it is the sovereign right of each State freely to determine and implement appropriate policies for social development within the framework of its development plans and priorities;

4. Emphasizes the importance, for the achievement of social progress, of the establishment of the new international economic order;

5. Calls upon Member States to make all efforts to promote the accelerated and complete elimination of such fundamental elements hindering economic and social progress and development as colonialism, neo-colonialism, racism and all forms of racial discrimination, apartheid, aggression, foreign occupation, alien domination and all forms of inequality and exploitation of peoples, and also to undertake effective measures to lessen international tensions;

6. Reiterates that it is the right of everyone to enjoy the greatest possible degree of physical and mental health;

7. Emphasizes that participation in cultural, sports and recreational activities and the use of leisure without discrimination of any kind promotes the improvement of social life;

8. Requests the Secretary-General to include, in his report on the implementation of the Declaration on Social Progress and Development, the results attained in the improvement of social life in the world;

9. Decides to resume consideration of the question of the improvement of social life at its forty-fifth session.

DRAFT RESOLUTION XXI

Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights, 115/ which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government, and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Noting that the International Covenant on Civil and Political Rights 116/ provides that every citizen shall have the right and the opportunity, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and to have access, on general terms of equality, to public service in his or her country,

Condemning the system of apartheid and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that all States enjoy sovereign equality and that each State has the right freely to choose and develop its political, social, economic, and cultural systems,

1. Underscores the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;

2. Stresses its conviction that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed, and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, including political, economic, social, and cultural rights;

3. Declares that determining the will of the people requires an electoral process which accommodates distinct alternatives, and that this

115/ Resolution 217 A (III).

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

process should provide an equal opportunity for all citizens to become candidates and put forward their political views, individually and in co-operation with others;

4. Reaffirms that apartheid should be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

5. Calls upon the Commission on Human Rights, at its forty-fifth session, to consider appropriate ways and means of enhancing the effectiveness of the principle of periodic and genuine elections, in the context of full respect for the sovereignty of Member States, and to report to the General Assembly at its forty-fourth session, through the Economic and Social Council;

6. Decides to include in the agenda of its forty-fourth session the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

DRAFT RESOLUTION XXII

Situation of human rights and fundamental freedoms in Chile

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and bearing in mind the Universal Declaration of Human Rights, 117/ the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, 118/

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

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

Bearing in mind that the concern of the international community at the situation of human rights in Chile has been expressed by the General Assembly

117/ Resolution 217 A (III).

118/ Resolution 2200 A, annex.

in a number of resolutions, particularly resolution 33/173 of 20 December 1978 on disappeared persons and resolution 42/147 of 7 December 1987, in which the Assembly invited the Commission on Human Rights to take the most appropriate steps for the effective restoration of human rights and fundamental freedoms in that country, including the extension of the mandate of the Special Rapporteur,

Recalling the pertinent resolutions of the Commission on Human Rights, particularly resolution 1988/78 of 10 March 1988, 119/ in which the Commission decided, inter alia, to extend the mandate of the Special Rapporteur for one year and to consider that subject as a matter of high priority, in view of the persistence of serious violations of human rights in Chile,

Considering the referendum held on 5 October 1988 to be an important step towards the restoration of democracy in Chile,

Noting also the formal acceptance of the results of the referendum and the increase in political activity in Chile,

Noting further with satisfaction the termination of the two states of emergency and of the prohibition of free movement into and out of the country,

Deploring the fact that, notwithstanding the repeated visits of the Special Rapporteur to Chile and the adoption of positive measures by the Government, the institutional and legal framework that makes violations of human rights possible has remained unchanged,

Noting that, although opposition publications have in some cases been authorized, they are frequently subject to arbitrary restrictions and limitations,

1. Takes note with interest of the preliminary report of the Special Rapporteur, 120/ submitted in accordance with Commission on Human Rights resolution 1988/78 of 10 March 1988;

2. Welcomes the positive fact that the Government of Chile has decided to continue to co-operate with the Special Rapporteur and again permitted him to visit the country in October 1988, providing him with free access to the facilities for compiling his report and expresses its confidence that a further visit will be authorized on the same conditions in the immediate future;

119/ See Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

120/ A/43/624, annex.

3. Welcomes the decision of the Government of Chile to respect the result of the referendum of 5 October 1988 as an expression of the will of the people and an important step towards the rapid restoration of democracy in Chile;

4. Urges, therefore, the Government of Chile to initiate a dialogue with the opposition in order to facilitate the full re-establishment of a democratic, pluralist and representative system based on the principle of popular sovereignty;

5. Notes with satisfaction the decision of the Government of Chile to lift the two states of emergency imposed 15 years ago, and to permit greater political activity in the country;

6. Expects that the measures already adopted by the Government of Chile in favour of a transition to democracy will lead to a genuine improvement in the situation of human rights and fundamental freedoms of the Chilean people;

7. Expresses once again its concern at the persistence of serious violations of human rights and fundamental freedoms in Chile, as stated in the preliminary report of the Special Rapporteur;

8. Again urges the Government of Chile to put an end to these situations and to the legislation that makes them possible; to continue adopting measures to permit the restoration of the rule of law in Chile; to ensure the independence of the judiciary and the effectiveness of legal remedies; to respect human rights in accordance with the principles of the Universal Declaration of Human Rights and to comply with its obligations under various international instruments in order to ensure the enjoyment and effective exercise of human rights and fundamental freedoms;

9. Urges the Government of Chile to authorize, in accordance with the recommendations of the Special Rapporteur and in conformity with existing laws, the official publication of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;

10. Invites the Commission on Human Rights to consider at its forty-fifth session, as a matter of high priority, the situation of human rights in Chile, bearing in mind the report of the Special Rapporteur and the pertinent available information, and to consider the measures necessary for the restoration of human rights in Chile, including the mandate of the Special Rapporteur, and to report to the General Assembly at its forty-fourth session.

DRAFT RESOLUTION XXIII

Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 42/142 of 7 December 1987 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances in some regions of the world, and about the fact that, in certain cases, the families of disappeared persons have been the target of intimidation and ill-treatment,

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 1988/34 of 8 March 1988, 121/

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;
2. Welcomes the decision of the Commission on Human Rights to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980, 122/ while maintaining the principle of annual reporting by the Group;
3. Also welcomes the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986 123/ to enable the Working Group to fulfil its mandate with greater efficiency;

121/ See Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12), chap. II, sect. A.

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

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

4. Further welcomes the progress made in the preparation of the draft declaration on forced or involuntary disappearances;

5. Appeals to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group, to co-operate fully with the Group so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role, and in particular to reply more quickly to the requests for information addressed to them by the Group;

6. 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;

7. Extends its warm thanks to the Governments that have invited the Working Group;

8. Appeals to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or any ill-treatment of which they may be the target;

9. 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-fifth session;

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

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

DRAFT DECISION I

Programme of work of the Third Committee

The General Assembly decides to defer consideration of the draft decision 124/ entitled "Programme of work of the Third Committee" to its forty-fourth session.

DRAFT DECISION II

United Nations Voluntary Fund for Indigenous Populations

The General Assembly, taking note of the report of the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous

124/ See A/C.3/43/L.3.

Populations, 125/ in particular the first session of the Board of Trustees of the Fund, held in 1988, decides to call upon Governments, non-governmental organisations and representatives of indigenous groups to consider contributing to the Fund and to disseminate widely information about the activities of the Fund; and to request the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the status of the Fund.

DRAFT DECISION III

Reports considered in connection with item 12

The General Assembly decides to take note of the report of the Secretary-General on human rights in Southern Lebanon 126/ and the report of the Secretary-General on international co-operation in drug abuse control. 127/

125/ A/43/706.

126/ A/43/630.

127/ A/43/770.