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Agenda item 6

HUMAN RIGHTS QUESTIONS

Report of the Second (Social) Committee

1. The Economic and Social Council, at its 3rd meeting, on 8 April 1980, allocated agenda item 6 to the Second (Social) Committee, which considered it at its 15th, and 17th to 23rd meetings, which were held from 24 to 30 April 1980.
2. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Commission on Human Rights on its thirty-sixth session; 1/
 - (b) Report of the Ad Hoc Working Group of Experts of the Commission on Human Rights on allegations regarding the infringements of trade union rights in the Republic of South Africa (E/1980/25);
 - (c) Report of the Secretary-General on capital punishment (E/1980/9 and Corr.1, E/1980/9/Add.1 and 2);
 - (d) Report of the Committee on Crime Prevention and Control on its fifth session (E/CN.5/558, chap. VII).
3. At the 15th meeting, the Director of the Division on Human Rights made an introductory statement. An introductory statement was also made by the Assistant Secretary-General for Social Development and Humanitarian Affairs.

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

A. Recommendations contained in chapter I of the report of the Commission on Human Rights on its thirty-sixth session 1/

4. Chapter I of the report of the Commission on Human Rights contained five draft resolutions, numbered I to V, and 19 draft decisions, numbered 1 to 19, which were recommended for adoption by the Council. The financial implications of draft resolutions I, IV, V and draft decisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12 were reproduced in annex III to the report.

5. At its 22nd meeting, on 29 April 1980, the Committee considered the draft resolutions and draft decisions contained in the report of the Commission on Human Rights.

1. Draft resolutions

Draft resolution I

6. The representative of Iraq proposed the addition of the words "of all forms" before the words "of racism". The Committee adopted the proposal, following which it adopted the first draft resolution submitted by the Commission, as amended, entitled "Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination". (For the text, see para. 43 below, draft resolution I.)

Draft resolution II

7. The Committee adopted the second draft resolution recommended by the Commission, entitled "Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live". (For the text, see para. 43 below, draft resolution II.)

Draft resolution III

8. The representative of Ireland introduced an amendment calling for the addition of the following paragraph between operative paragraphs 5 and 6 of the draft resolution:

"6. Requests the Secretary-General to ensure in the interim that adequate resources are available to permit the prompt preparation and distribution of the existing publications of the services of the Secretariat concerned with human rights".

9. The representative of the Union of Soviet Socialist Republics proposed the following subamendments to the amendment by the representative of Ireland:

- (a) The replacement of the word "prompt" by the word "speedy";
- (b) The insertion of the words "United Nations" before "publications";
- (c) The deletion of the words "of the services of the Secretariat".

10. The representative of Ireland accepted the subamendments proposed by the representative of the Union of Soviet Socialist Republics.

11. The Committee adopted the revised amendments of Ireland. It adopted the third draft resolution recommended by the Commission, as amended, entitled "Development of public information activities in the field of human rights". (For the text, see para. 43 below, draft resolution III.)

Draft resolution IV

12. The Committee adopted the fourth draft resolution submitted by the Commission, entitled "Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in resolution 8 (XXIII) of the Commission on Human Rights and Economic and Social Council resolution 1503 (XLVIII)". (For the text, see para. 43 below, draft resolution IV.)

Draft resolution V

13. The Committee adopted the fifth draft resolution submitted by the Commission, entitled "Draft convention against torture and other cruel, inhuman or degrading treatment or punishment". (For the text, see para. 43 below, draft resolution V.)

2. Draft decisions

Draft decision 1

14. The Committee adopted the first draft decision submitted by the Commission, entitled "Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism". (For the text, see para. 43 below, draft decision I.)

Draft decision 2

15. The Committee adopted the second draft decision submitted by the Commission, entitled "Question of the human rights of persons subjected to any form of detention or imprisonment". (For the text, see para. 43 below, draft decision II.)

Draft decision 3

16. The Committee adopted the third draft decision submitted by the Commission, entitled "Exploitation of child labour". (For the text, see para. 43 below, draft decision III.)

Draft decision 4

17. The representative of Yugoslavia noted that the word "economic" had been omitted between the words "new international" and "order".

18. The Committee adopted the fourth draft decision submitted by the Commission, with the addition of the word "economic", entitled "The new international economic order and the promotion of human rights". (For the text, see para. 43 below, draft decision IV.)

Draft decision 5

19. The Committee adopted the fifth draft decision submitted by the Commission, entitled "Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism - Extension of the period of work of the Working Group on Slavery". (For the text, see para. 43 below, draft decision V.)

Draft decision 6

20. The Committee adopted the sixth draft decision submitted by the Commission, entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment - Question of missing and disappeared persons". (For the text, see para. 43 below, draft decision VI.) The representatives of Brazil, the Union of Soviet Socialist Republics, Turkey and Cyprus made statements.

Draft decision 7

21. On a recorded vote, the Committee, by 32 votes to 3, with 8 abstentions, adopted the seventh draft decision submitted by the Commission, entitled "Question of human rights in Chile". (For the text, see para. 43 below, draft decision VII.)

22. The representative of Chile made a statement on the draft decision before the vote, and the representative of France made a statement after the vote.

23. The voting was as follows:

In favour: Algeria, Australia, Belgium, Bulgaria, Central African Republic, Cyprus, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Hungary, India, Iraq, Ireland, Japan, Libyan Arab Jamahiriya, Mexico, Pakistan, Romania, Senegal, Spain, Sweden, Turkey, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela, Yugoslavia, Zambia.

Against: Argentina, Brazil, Chile.

Abstaining: Bahamas, China, Dominican Republic, Jordan, Lesotho, Morocco, Nigeria, Zaïre.

Draft decision 8

24. The Committee adopted the eighth draft decision submitted by the Commission, entitled "Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights". (For the text, see para. 43 below, draft decision VIII.)

Draft decision 9

25. On a vote requested by the representative of the United Kingdom of Great Britain and Northern Ireland, the Committee adopted by 34 votes to 5, with 7 abstentions, the ninth draft decision submitted by the Commission entitled "The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa". (For the text, see para. 43 below, draft decision IX.)

26. The representative of the United Kingdom made a statement on the draft decision before the vote. The representatives of the United States of America, Malawi and Malta made statements after the vote.

Draft decision 10

27. After hearing suggestions for amendment by the representatives of the Union of Soviet Socialist Republics, Italy and the Federal Republic of Germany, the representative of Cyprus proposed that the words "noting Commission on Human Rights resolution 22 (XXXVI), requests the Secretary-General to consider" be replaced by the words "endorses the request by the Commission on Human Rights as contained in its resolution 22 (XXXVI) that the Secretary-General consider". The Committee adopted the proposal by the representative of Cyprus.

28. The Committee adopted the tenth draft decision submitted by the Commission, as amended, entitled "Services of the Secretariat concerned with human rights". (For the text, see para. 43 below, draft decision X.) The representatives of Brazil, the Union of Soviet Socialist Republics, Ireland and the United Kingdom of Great Britain and Northern Ireland made statements on the draft decision.

Draft decision 11

29. The Committee adopted, by 41 votes to 1, with 3 abstentions, the eleventh draft decision submitted by the Commission, entitled "Reinstatement of summary records". (For the text, see para. 43 below, draft decision XI.) The representatives of the United States of America, Cyprus and Belgium made statements on the draft decision.

Draft decisions 12 and 13

30. The Committee adopted the twelfth and thirteenth draft decisions submitted by the Commission entitled, respectively, "General decision concerning the establishment of a working group of the Commission on Human Rights to examine situations referred to the Commission under Economic and Social Council resolution 1503 (XLVIII) and situations which the Commission has decided to keep under review" and "Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in resolution 8 (XXIII) of the Commission on Human Rights and Economic and Social Council resolution 1503 (XLVIII)". (For the texts, see para. 43 below, draft decisions XII and XIII.) The representative of the Union of Soviet Socialist Republics made a statement on draft decision 12.

Draft decision 14

31. On a recorded vote requested by the representative of the United Kingdom, the Committee adopted by 29 votes to 5, with 8 abstentions, the fourteenth draft decision submitted by the Commission, entitled "The situation of human rights in Democratic Kampuchea". (For the text, see para. 43 below, draft decision XIV.) The representatives of the Union of Soviet Socialist Republics and China made statements on the draft decision before the vote, while the representative of Yugoslavia made a statement after the vote.

32. The voting was as follows:

In favour: Australia, Bahamas, Belgium, Central African Republic, Chile, China, Finland, France, Germany, Federal Republic of, Ghana, Ireland, Italy, Japan, Malawi, Morocco, Nigeria, Pakistan, Senegal, Spain, Sweden, Trinidad and Tobago, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela, Zaire, Zambia.

Against: Bulgaria, German Democratic Republic, Hungary, India, Union of Soviet Socialist Republics.

Abstaining: Algeria, Argentina, Brazil, Dominican Republic, Iraq, Jordan, Mexico, Yugoslavia.

Draft decisions 15, 16 and 17

33. The Commission adopted the fifteenth, sixteenth and seventeenth draft decisions submitted by the Commission entitled, respectively, "The situation of human rights in Equatorial Guinea", "Question of a convention on the rights of the child" and "Postponement of the session of the Ad Hoc Committee on Periodic Reports". (For the texts, see para. 43 below, draft decisions XV, XVI and XVII.)

Draft decision 18

34. The representative of Ireland proposed the addition, at the end of the decision, of the following text:

"on the understanding that such additional meeting services will permit all the existing working groups on international instruments of human rights to receive sufficient time for their deliberations taking into account the pre-sessional arrangements already provided by the Council for two of the working groups."

35. The representative of the Union of Soviet Socialist Republics proposed the following amendments to the amendment by the representative of Ireland: (a) the addition of the words "and other matters", after the words "human rights"; and (b) the addition, at the end of the amendment, the phrase "in its resolution V and decision 16".

36. The representative of Ireland accepted the amendments by the representative of the Union of Soviet Socialist Republics.

37. The Committee adopted the amendments by Ireland, as revised. It adopted the eighteenth draft decision submitted by the Commission, as revised, entitled "Meeting services for the Commission on Human Rights". (For the text, see para. 43 below, draft decision XVIII.)

Draft decision 19

38. The Committee adopted the nineteenth draft decision submitted by the Commission, entitled "Report of the Commission on Human Rights". (For the text, see para. 43 below, draft decision XIX.)

Draft resolution E/1980/C.2/L.8

39. At the 22nd meeting, on 29 April 1980, the representative of Ghana introduced a draft resolution entitled "Allegations regarding infringements of trade union rights in the Republic of South Africa" (E/1980/C.2/L.8), on behalf of Algeria, Finland, Ghana, India, Nigeria, Senegal, Sweden, the United Republic of Tanzania, Yugoslavia and Zambia.

40. At the 23rd meeting, the Committee adopted the draft resolution. (For the text, see para. 43 below, draft resolution VI.) Statements on the draft resolution were made by the representatives of Italy, Belgium, the Federal Republic of Germany, France, Australia and the United Kingdom of Great Britain and Northern Ireland.

Draft decision E/1980/C.2/L.9

41. At the 22nd meeting, on 29 April, the representative of Sweden introduced a draft decision, entitled "Capital punishment" (E/1980/C.2/L.9), on behalf of Denmark, 2/ Finland, Norway, 2/ and Sweden. At the 23rd meeting, Italy was added as a sponsor of the draft decision.

42. At the 23rd meeting, the Committee adopted the draft decision. (For the text, see para. 43 below, draft decision XX.)

2/ In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

RECOMMENDATIONS OF THE SECOND (SOCIAL) COMMITTEE

43. The Second (Social) Committee recommends to the Council the adoption of the following draft resolutions and draft decisions:

A. DRAFT RESOLUTION

DRAFT RESOLUTION I

Implementation of the Programme for the Decade for Action
to Combat Racism and Racial Discrimination

The Economic and Social Council

1. Decides to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Justice Abu Sayeed Chowdhury with the preparation of a study on the discriminatory treatment of members of racial, ethnic, religious or linguistic groups at the various levels in the administration of criminal justice proceedings, such as police, military, administrative and judicial investigations, arrest, detention, trial and execution of sentences, including the ideologies or beliefs which contribute or lead to racism, in the light of the comments made in the Sub-Commission at its thirty-second session;
2. Requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in his work;
3. Requests the Special Rapporteur to submit his report to the Sub-Commission at its thirty-fourth session;
4. Decides also to authorize the Sub-Commission to designate a special rapporteur from amongst its members to carry out a study on political, economic, cultural and other factors underlying situations leading to racism, including a survey of the increase or decline of all forms of racism and racial discrimination.

DRAFT RESOLUTION II

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

The Economic and Social Council,

Recalling its resolutions 1970 (LIV), of 18 May 1973, and 1871 (LVI), of 17 May 1974, and its decision 1979/36 of 10 May 1979, on the question of international legal protection of the human rights of individuals who are not citizens of the country in which they live,

Noting resolutions 8 (XXIX), of 21 March 1973, 11 (XXX), of 6 March 1974, 16 (XXXV), of 14 March 1979 and 19 (XXXVI), of 29 February 1980, of the Commission on Human Rights on the same subject,

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

1. Decides to transmit to the General Assembly at its thirty-fifth session the text of the draft declaration on the human rights of individuals who are not citizens of the country in which they live, 3/ prepared by the Special Rapporteur of the Sub-Commission, Baroness Elles, and amended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, together with the comments on the text received from member States in response to its decision 1979/36; 4/

2. Recommends that the General Assembly should consider the adoption of a declaration on the human rights of individuals who are not citizens of the country in which they live, taking appropriate account of the above-mentioned comments,

DRAFT RESOLUTION III

Development of public information activities in the field of human rights

The Economic and Social Council,

Mindful of General Assembly resolution 34/182 of 18 December 1979 on questions relating to information,

Recalling resolution 23 (XXXV), of 14 March 1979, of the Commission on Human Rights on the development of public information activities in the field of human rights,

Taking note of the report of the Secretary-General on this subject, which was submitted to the Commission on Human Rights at its thirty-sixth session, 5/

Conscious of the importance of teaching, education, research, training and information in the promotion and protection of human rights,

Reiterating its belief that progress in the promotion of respect for and protection of human rights is assisted by a favourable world public opinion,

1. Urges all Governments to consider action to facilitate publicity regarding United Nations activities in the field of human rights, with particular reference to the work of the Commission on Human Rights;

3/ E/CN.4/1336.

4/ E/CN.4/1354 and Add.1-6.

5/ E/CN.4/1368.

2. Draws the attention of Governments to the importance of encouraging the dissemination of international instruments on human rights as widely as possible, including texts in their own languages;
3. Requests the Secretary-General, in co-operation with the United Nations Educational, Scientific and Cultural Organization and the International Labour Organisation to draw up and implement a world-wide programme for the dissemination of international instruments on human rights in as many languages as possible and to report on the implementation of this programme to the Commission on Human Rights at its thirty-seventh session;
4. Requests the Secretary-General to inform the United Nations Committee on Information of its strong hopes that the Committee will make suitable recommendations for developing public information activities in the field of human rights;
5. Requests the Secretary-General to bring the present resolution to the attention of Governments, regional governmental organizations, non-governmental organizations and United Nations information centres with a view to inviting their comments on its implementation;
6. Requests the Secretary-General to ensure in the interim that adequate resources are available to permit the speedy preparation and distribution of the existing United Nations publications concerned with human rights;
7. Requests the Secretary-General to report to the Commission on Human Rights at its thirty-seventh session on the measures taken to enhance public information activities in the field of human rights, including any proposals made to this end by the United Nations Committee on Information, and to include in his report information on the implementation of the plans mentioned in his report submitted to the Commission at its thirty-sixth session, 6/ as well as information received pursuant to paragraph 5 of the present resolution.

DRAFT RESOLUTION IV

Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in resolution 8 (XXIII) of the Commission on Human Rights and Economic and Social Council resolution 1503 (XLVIII)

The Economic and Social Council,

Considering that the Commission on Human Rights has been examining since its thirty-third session in 1977 the situation regarding the alleged persecution of Jehovah's Witnesses in Malawi,

Considering further that the Government of Malawi has not co-operated or replied to the communications addressed to it regarding this matter,

1. Regrets the failure of the Government of Malawi to co-operate with the Commission on Human Rights in the examination of a situation said to have deprived thousands of Jehovah's Witnesses in Malawi of their basic human rights and fundamental freedoms between 1972 and 1975, which failure constrains the Economic and Social Council to publicize the matter;

2. Expresses the hope that the human rights of all citizens of Malawi have been fully restored and, in particular, that adequate measures are being taken to provide remedy to those who may have suffered injustices.

DRAFT RESOLUTION V

Draft convention against torture and other cruel, inhuman or degrading treatment or punishment

The Economic and Social Council,

Recalling General Assembly resolution 32/62, of 8 December 1977, by which the Commission on Human Rights was requested to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment, and resolution 1979/35 of 10 May 1979, by which the Council authorized an open-ended working group of the Commission on Human Rights to meet for a period of one week prior to the thirty-sixth session of the Commission to complete the work on a draft convention against torture and other cruel, inhuman or degrading treatment or punishment,

Considering that it was not found possible to complete the work on the convention during the thirty-sixth session of the Commission,

Taking note of resolution 34 (XXXVI), of 12 May 1980 of the Commission on Human Rights,

1. Authorizes a meeting of an open-ended working group for a period of one week prior to the thirty-seventh session of the Commission on Human Rights to complete the work on a draft convention against torture and other cruel, inhuman or degrading treatment or punishment;

2. Requests the Secretary-General to transmit to the Commission on Human Rights at its thirty-seventh session all the relevant material relating to the draft convention.

DRAFT RESOLUTION VI

Allegations regarding infringements of trade union rights in the Republic of South Africa

The Economic and Social Council,

Recalling its resolution 1979/39 of 10 May 1979, concerning the report of the Ad Hoc Working Group of Experts of the Commission on Human Rights on allegations regarding infringements of trade union rights in the Republic of South Africa,

/...

Noting with grave concern that recent reforms in South African labour legislation were cosmetic in nature and not aimed at producing fundamental changes in the situation of African workers, and that the legislation continues to deny them full and equal trade union rights,

1. Takes note of the report of the Ad Hoc Working Group of Experts of the Commission on Human Rights, submitted pursuant to the above-mentioned resolution; 7/

2. Requests the Ad Hoc Working Group of Experts to continue to study the situation and to report thereon to the Commission on Human Rights and the Economic and Social Council as appropriate;

3. Requests the Ad Hoc Working Group of Experts to consult with the International Labour Organisation and the Special Committee against Apartheid, as well as with international and African trade union confederations in the discharge of its mandate;

4. Reiterates its demand for the immediate and complete abolition of all restrictions on the trade union rights of all African workers in South Africa, including migrant workers from neighbouring countries, and the immediate and unconditional recognition of all existing African trade unions;

5. Deplores the manoeuvres of the Government of South Africa and companies, including transnational corporations operating in South Africa, to weaken the existing African trade union movement through the establishment of so-called parallel trade unions and the harassment of officials of independent African trade unions;

6. Demands the release of all trade unionists in prison and the lifting of all banning orders imposed on persons engaged in trade union activities.

B. DRAFT DECISIONS

DRAFT DECISION I

Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism 6/

The Economic and Social Council, noting resolution 15 (XXXVI), of 29 February 1980, of the Commission on Human Rights authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Benjamin Whitaker with the responsibility of further extending and bringing up to date the Report on Slavery, 8/ in the light of the comments made in the

7/ E/1980/25.

8/ United Nations publication, Sales No. 67.XIV.2.

Sub-Commission at its thirty-first session, and requests the Secretary-General to give the Special Rapporteur all the assistance he may require in his work, including all relevant information from reliable sources.

DRAFT DECISION II

Question of the human rights of persons subjected to any form of detention or imprisonment

The Economic and Social Council, noting resolution 16 (XXXVI), of 29 February 1980, of the Commission on Human Rights, authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. L. M. Singhvi with the preparation of a report on the independence and impartiality of judiciary, jurors and assessors and the independence of lawyers, to the end that there shall be no discrimination in the administration of justice and that human rights and fundamental freedoms may be maintained and safeguarded, in the light of the comments made in the Sub-Commission at its thirty-second session. It also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in his work.

DRAFT DECISION III

Exploitation of child labour

The Economic and Social Council, noting resolution 17 (XXXVI), of 29 February 1980, of the Commission on Human Rights, authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Abdelwahab Bouhdiba with the preparation of a report on the exploitation of child labour, taking into account all the economic, social, cultural and psychological dimensions of the problem, in the light of the comments made in the Sub-Commission at its thirty-second session, reports prepared by the International Labour Organisation on this subject and other relevant reports. It also requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in his work, including all relevant information from reliable sources.

DRAFT DECISION IV

The new international economic order and the promotion of human rights

The Economic and Social Council, noting resolution 18 (XXXVI), of 29 February 1980, of the Commission on Human Rights, authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint Mr. Raúl Ferrero as Special Rapporteur, with the mandate of preparing a study on the new international economic order and the promotion of human rights, as provided for in the above-mentioned resolution. It further authorizes the Special Rapporteur to represent the Sub-Commission at the seminar to be held

within the framework of the advisory services programme, on the basis of paragraph 8 of resolution 5 (XXXV), of 2 March 1979, of the Commission on Human Rights, and requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in his work.

DRAFT DECISION V

Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism - Extension of the period of work of the Working Group on Slavery

The Economic and Social Council approves the decision of the Commission on Human Rights, in its decision 5 (XXXVI), of 29 February 1980, to extend the period of work of the Working Group on Slavery to five working days immediately before the session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

DRAFT DECISION VI

Question of the human rights of all persons subjected to any form of detention or imprisonment - Question of missing and disappeared persons

The Economic and Social Council, noting resolution 20 (XXXVI), of 29 February 1980, of the Commission on Human Rights, approves the Commission's decision to establish, for a period of one year, a Working Group consisting of five of its members, to serve as experts in their individual capacities, to examine questions relevant to enforced or involuntary disappearances of persons. The Council requests the Secretary-General to provide the Working Group with all necessary assistance, in particular staff and resources they require in order to perform their functions in an effective and expeditious manner.

DRAFT DECISION VII

Question of human rights in Chile

The Economic and Social Council approves the decision of the Commission on Human Rights, in its resolution 21 (XXXVI) of 29 February 1980, in response to General Assembly resolution 34/179 of 17 December 1979, to extend the mandate of the Special Rapporteur on the situation of human rights in Chile for another year. The Council requests the General Assembly to make arrangements for the provision of adequate financial resources and staff for the implementation of Commission resolution 21 (XXXVI).

DRAFT DECISION VIII

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

The Economic and Social Council, noting resolution 7 (XXXVI) of 21 February 1980, of the Commission on Human Rights, requests the Secretary-General to furnish all the assistance necessary in order that the study of the regional and national dimensions of the right to development as a human right, paying particular attention to the obstacles encountered by developing countries in their efforts to secure the enjoyment of this right, as provided for in Commission resolutions 4 (XXXV), of 2 March 1979, and 7 (XXXVI) and in Economic and Social Council decision 1979/29, of 10 May 1979 may be completed in a fully satisfactory manner.

DRAFT DECISION IX

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

The Economic and Social Council, noting resolution 11 (XXXVI), of 26 February 1980, of the Commission on Human Rights, (a) decides that the revised report on the subject, 9/ which contains a general provisional list of banks, transnational corporations and other organizations giving assistance to the racist and colonial régimes of southern Africa, prepared by Mr. Ahmed Khalifa, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, should be appended to the original report 10/ by the Special Rapporteur and that it should be printed and disseminated on the widest scale; (b) decides to forward the revised report to the General Assembly; (c) approves the decision of the Commission on Human Rights to request the Sub-Commission on Prevention of Discrimination and Protection of Minorities to mandate Mr. Ahmed Khalifa, Special Rapporteur, to continue to bring the list up to date every year and to submit through the Sub-Commission, the updated report to the Commission.

DRAFT DECISION X

Services of the Secretariat concerned with human rights

The Economic and Social Council endorses the request by the Commission on Human Rights, as contained in its resolution 22 (XXXVI), of 28 February 1980, that the

9/ E/CN.4/Sub.2/425 and Corr.1 and 2 and Add.1-6.

10/ E/CN.4/Sub.2/383/Rev.2.

Secretary-General consider, if he deems it appropriate, the redesignation of the Division of Human Rights as a Centre for Human Rights, and to ensure that adequate financial and other resources are allocated to the sector in the Secretariat concerned with human rights so as to enable it to discharge its functions.

DRAFT DECISION XI

Reinstatement of summary records

The Economic and Social Council, noting resolution 25 (XXXVI), of 11 March 1980, of the Commission on Human Rights, decides that summary records are to be reintroduced for the Commission and for the Sub-Commission on Prevention of Discrimination and Protection of Minorities, commencing with the thirty-seventh session of the Commission and the thirty-third session of the Sub-Commission.

DRAFT DECISION XII

General decision concerning the establishment of a working group of the Commission on Human Rights to examine situations referred to the Commission under Economic and Social Council resolution 1503 (XLVIII) and situations which the Commission has decided to keep under review

The Economic and Social Council approves the decision of the Commission on Human Rights in its decision 8 (XXXVI), of 7 March 1980, to set up a working group, composed of five of its members, to meet for one week prior to its thirty-seventh session to examine such particular situations as might be referred to the Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-third session, under Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, and those situations which the Commission has decided to keep under review.

DRAFT DECISION XIII

Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in resolution 8 (XXIII) of the Commission on Human Rights and Economic and Social Council resolution 1503 (XLVIII)

The Economic and Social Council approves the decision of the Commission on Human Rights in its decision 9 (XXXVI), of 7 March 1980, that States in respect of which situations are being considered under Council resolution 1503 (XLVIII), of 27 May 1970, shall have the right to attend and to participate in the entire discussion of the situation about which they are concerned, and to be present during the adoption of the final decision taken in regard to that situation.

DRAFT DECISION XIV

The situation of human rights in Democratic Kampuchea

The Economic and Social Council, noting resolution 29 (XXXVI), of 11 March 1980, of the Commission on Human Rights, approves the decision of the Commission to request a member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its next session, to review any further material on the human rights situation in Kampuchea which may become available and to submit it, together with appropriate recommendations, to the Commission on Human Rights.

DRAFT DECISION XV

The situation of human rights in Equatorial Guinea

The Economic and Social Council approves the decision of the Commission on Human Rights in resolution 33 (XXXVI), of 11 March 1980, to request the Secretary-General, in response to the request of the Government of Equatorial Guinea:

(a) To appoint, as an expert in his individual capacity, a person with wide experience of the situation in Equatorial Guinea, in particular with a view to assisting the Government of that country in taking the action necessary for the full restoration of human rights and fundamental freedoms, keeping in mind the recommendations of the Special Rapporteur and the political, economic and social realities of that country;

(b) To provide, in consultation with the expert, the assistance necessary to help the Government of Equatorial Guinea take the action necessary for the full restoration of human rights and fundamental freedoms in that country.

DRAFT DECISION XVI

Question of a convention on the rights of the child

The Economic and Social Council, noting resolution 36 (XXXVI), of 12 March 1980, of the Commission on Human Rights, decides to authorize a one-week session of an open-ended working group prior to the thirty-seventh session of the Commission to facilitate the completion of the work on a draft convention on the rights of the child.

DRAFT DECISION XVII

Postponement of the session of the Ad Hoc Committee on Periodic Reports

The Economic and Social Council, noting decision 14 (XXXVI), of 12 March 1980, of the Commission on Human Rights, decides that the session of the

Ad Hoc Committee on Periodic Reports, scheduled to take place prior to the Commission's thirty-seventh session, will be postponed and will take place prior to the thirty-eighth session of the Commission on Human Rights

DRAFT DECISION XVIII

Meeting services for the Commission on Human Rights

The Economic and Social Council, noting decision 15 (XXXVI), of 12 March 1980, of the Commission on Human Rights, decides to authorize three hours of additional meeting services per day during the Commission's thirty-seventh session, on the understanding that such additional meeting services will permit all the existing working groups on international instruments of human rights and other matters to receive sufficient time for their deliberations, taking into account the pre-sessional arrangements already provided by the Council for two of the working groups in its draft resolution V and draft decision XVI of 22 April 1980.

DRAFT DECISION XIX

Report of the Commission on Human Rights

The Economic and Social Council takes note of the report of the Commission on Human Rights on its thirty-sixth session. 11/

DRAFT DECISION XX

Capital punishment

The Economic and Social Council takes note of the report of the Secretary-General on capital punishment 12/ and decided to request the Secretary-General to transmit the report to the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

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

12/ E/1980/9 and Corr.1 and E/1980/Add.1 and 2.