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Agenda item 10

### HUMAN RIGHTS

#### Report of the Second (Social) Committee

1. The Economic and Social Council, at its 5th plenary meeting, on 1 May 1984, allocated agenda item 10, entitled "Human rights", to the Second (Social) Committee. The Committee considered the item at its 8th and 10th to 16th meetings on 10, 11 and 15 to 17 May 1984.
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 fortieth session; 1/
  - (b) 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/39/168-E/1984/39 and Add.1);
  - (c) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights (A/39/174-E/1984/38);
  - (d) Note by the Secretary-General on allegations regarding infringements of trade union rights (E/1984/32);
  - (e) Note by the Secretariat on allegations regarding infringements of trade union rights (E/1984/85);

1/ Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14).

- (f) Note by the Secretary-General prepared in accordance with Economic and Social Council decision 1983/155 (E/1984/88);
- (g) Letter dated 17 April 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/185);
- (h) Letter dated 15 April 1984 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General (E/1984/C.2/1);
- (i) Statement submitted by Disabled Peoples' International, a non-governmental organization in consultative status, category II (E/1984/NGO/3);
- (j) Statement submitted by the Bahá'í International Community, a non-governmental organization in consultative status, category II (E/1984/NGO/5).

3. At the 8th meeting, on 10 May, the Deputy Director of the Centre for Human Rights made an introductory statement.

4. During the general discussion on the item, the Committee heard statements by the representatives of Algeria, Argentina, Austria, Brazil, Bulgaria, Canada, China, the Congo, Costa Rica, Ecuador, Finland, France (on behalf of States members of the European Economic Community), the German Democratic Republic, Luxembourg, Malaysia, Mexico, the Netherlands, New Zealand, Poland, Sri Lanka, Sweden, Thailand, Tunisia, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia, as well as by the observers for Australia, the Byelorussian Soviet Socialist Republic, Cuba, Democratic Kampuchea, Denmark, Equatorial Guinea, the Gambia, Ireland, Italy, Mongolia, Nicaragua, Norway and Viet Nam.

5. The Committee also heard a statement by the representative of the International Confederation of Free Trade Unions, a non-governmental organization in consultative status, category I, with the Economic and Social Council.

#### CONSIDERATION OF DRAFT PROPOSALS

##### A. Recommendations contained in chapter I of the report of the Commission on Human Rights on its fortieth session

6. Chapter I, section A, of the report of the Commission on Human Rights on its fortieth session 1/ contained 16 draft resolutions, and section B, 19 draft decisions, that were recommended by the Commission for adoption by the Council. The administrative and programme budget implications of the draft resolutions and draft decisions recommended by the Commission were contained in annex III to its report.

7. At its 15th and 16th meetings, on 17 May, the Committee considered draft resolutions I-XVI and draft decisions I-XIX contained in the report of the Commission on Human Rights.
8. At the 15th meeting, the representative of the United States made a statement.
9. At the same meeting, the representative of the Budget Division made a statement.

#### 1. Draft resolutions

##### Measures to combat racism and racial discrimination

10. At its 15th meeting, the Committee adopted draft resolution I, entitled "Measures to combat racism and racial discrimination", and submitted it to the Council (see para. 65 below, draft resolution I).

##### Question of a convention on the rights of the child

11. At its 15th meeting, the Committee adopted draft resolution II, entitled "Question of a convention on the rights of the child", and submitted it to the Council (see para. 65 below, draft resolution II).

##### Human rights violations and disabled persons

12. At its 15th meeting, the Committee adopted draft resolution III, entitled "Human rights violations and disabled persons", and submitted it to the Council (see para. 65 below, draft resolution III).

##### Conscientious objection to military service

13. At its 15th meeting, the Committee adopted draft resolution IV, entitled "Conscientious objection to military service", and submitted it to the Council (see para. 65 below, draft resolution IV).

##### Exploitation of child labour

14. At its 15th meeting, the Committee adopted draft resolution V, entitled "Exploitation of child labour", and submitted it to the Council (see para. 65 below, draft resolution V).

Violations of human rights and fundamental freedoms - Study of  
Discrimination in Respect of the Right of Everyone to Leave any  
Country, Including His Own and to Return to His Country

15. At its 15th meeting, the Committee adopted draft resolution VI, entitled "Violations of human rights and fundamental freedoms - Study of Discrimination in Respect of the Right of Everyone to Leave any Country, Including His Own and to Return to His Country", by 43 votes to none, with 7 abstentions (see para. 65 below, draft resolution VI).

Report on the exploitation of labour through illicit and  
clandestine trafficking

16. At its 15th meeting, the Committee adopted draft resolution VII, entitled "Report on the exploitation of labour through illicit and clandestine trafficking", and submitted it to the Council (see para. 65 below, draft resolution VII).

The status of the individual and contemporary international law

17. At its 15th meeting, the Committee adopted draft resolution VIII, entitled "The status of the individual and contemporary international law", and submitted it to the Council (see para. 65 below, draft resolution VIII).

Advisory services in the field of human rights - Assistance to  
the Government of Bolivia

18. At its 15th meeting, the Committee adopted draft resolution IX, entitled "Advisory services in the field of human rights - Assistance to the Government of Bolivia", and submitted it to the Council (see para. 65 below, draft resolution IX).

Human rights and scientific and technological developments - Principles,  
guidelines and guarantees for the protection of persons detained on  
grounds of mental ill-health or suffering from mental disorder

19. At its 15th meeting, the Committee adopted draft resolution X, entitled "Human rights and scientific and technological developments - Principles, guidelines and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder", and submitted it to the Council (see para. 65 below, draft resolution X).

Question of slavery and the slave trade in all their practices  
and manifestations

20. At its 16th meeting, the Committee adopted draft resolution XI, entitled "Question of slavery and the slave trade in all their practices and manifestations", and submitted it to the Council (see para. 65 below, draft resolution XI).

Summary of arbitrary executions

21. At its 16th meeting, the Committee adopted draft resolution XII, entitled "Summary of arbitrary executions", and submitted it to the Council (see para. 65 below, draft resolution XII).

Situation in Equatorial Guinea

22. At its 16th meeting, the Committee adopted draft resolution XIII, entitled "Situation in Equatorial Guinea", and submitted it to the Council (see para. 65 below, draft resolution XIII).

Question of the violation of human rights and fundamental freedoms -  
Situation in Afghanistan

23. At the 16th meeting, the representative of the German Democratic Republic, following a statement by the observer for Afghanistan, proposed, under rule 67, paragraph 2 of the rules of procedure, that no decision should be taken on draft resolution XIV.

24. Following statements by the representatives of Pakistan, Bulgaria, Poland, the United Kingdom of Great Britain and Northern Ireland, the Netherlands, Canada and Costa Rica, the Committee voted on the proposal of the German Democratic Republic. By a recorded vote of 34 to 6, with 8 abstentions, the proposal was rejected. The voting was as follows:

In favour: Algeria, Bulgaria, German Democratic Republic, Liberia, Poland, Union of Soviet Socialist Republics.

Against: Argentina, Austria, Benin, Botswana, Canada, China, Colombia, Costa Rica, Djibouti, Ecuador, France, Germany, Federal Republic of, Greece, Japan, Lebanon, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Pakistan, Portugal, Qatar, Saint Lucia, Saudi Arabia, Sierra Leone, Somalia, Suriname, Swaziland, Sweden, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstentions: Brazil, Congo, Finland, Sri Lanka, Tunisia, Uganda, Yugoslavia, Zaire.

25. At the same meeting, the Committee adopted draft resolution XIV, entitled "Question of the violation of human rights and fundamental freedoms - Situation in Afghanistan", by 33 votes to 4, with 11 abstentions (see para. 66 below, draft resolution XIV).

26. Statements were made by the representative of the Union of Soviet Socialist Republics (on behalf also of Bulgaria, the German Democratic Republic and Poland) before the adoption of the draft resolution and by the representatives of Tunisia and Sri Lanka after the adoption of the draft resolution.

Draft body of principles and guidelines on the right and  
responsibility of individuals, groups and organs of  
society to promote and protect human rights and  
fundamental freedoms

27. At the 16th meeting, the Committee adopted draft resolution XV, entitled "Draft body of principles and guidelines on the right and responsibility of individuals, groups and organs of society to promote and protect human rights and fundamental freedoms", and submitted it to the Council (see para. 65 below, draft resolution XV).

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

28. At the 16th meeting, the Committee adopted draft resolution XVI, entitled "Implementation of the Declaration on the Elimination of All forms of Intolerance and of Discrimination Based on Religion or Belief", and submitted it to the Council (see para. 65 below, draft resolution XVI).

29. The Deputy Director of the Centre for Human Rights made a statement before the adoption of the draft resolution.

2. Draft decisions

Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts

30. At its 16th meeting, the Committee adopted draft decision 1, entitled "Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts", by 49 votes to none, with 1 abstention and submitted it to the Council (see para. 66 below, draft decision I).

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

31. At its 16th meeting, the Committee adopted draft decision 2, 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" by 36 votes to 6, with 7 abstentions and submitted it to the Council (see para. 66 below, draft decision II).

Popular participation in its various forms as an important factor in development and in the full realization of all human rights

32. At its 16th meeting, the Committee adopted draft decision 3, entitled "Popular participation in its various forms as an important factor in development and in the full realization of all human rights", by 47 votes to 1 and submitted it to the Council (see para. 66 below, draft decision III).

33. The representatives of Yugoslavia and the United States made statements before the adoption of the draft decision.

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

34. At its 16th meeting, the Committee adopted draft decision 4, 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", by 48 votes to none, with 2 abstentions and submitted it to the Council (see para. 66 below, draft decision IV).

35. The representative of the Netherlands made a statement before the adoption of the draft decision.

The new international economic order and the promotion  
of human rights

36. At its 16th meeting, the Committee adopted draft decision 5, entitled "The new international economic order and the promotion of human rights", by 47 votes to 1, with 3 abstentions and submitted it to the Council (see para. 66 below, draft decision V).

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

37. At its 16th meeting, the Committee adopted draft decision 6, entitled "Draft convention against torture and other cruel, inhuman or degrading treatment or punishment" and submitted it to the Council (see para. 66 below, draft decision VI).

Question of enforced or involuntary disappearances

38. At its 16th meeting, the Committee adopted draft decision 7, entitled "Question of enforced or involuntary disappearances" and submitted it to the Council (see para. 66 below, draft decision VII).

Situation of human rights in El Salvador

39. At its 16th meeting, the Committee adopted draft decision 8, entitled "Situation of human rights in El Salvador", by a recorded vote of 33 to 3, with 12 abstentions (see para. 66 below, draft decision VIII). The voting was as follows:

In favour: Algeria, Argentina, Austria, Benin, Botswana, Bulgaria, Canada, Congo, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Japan, Luxembourg Mexico, Netherlands, New Zealand, Papua New Guinea, Poland, Portugal, Qatar, Saudi Arabia, Sierra Leone, Suriname, Swaziland, Sweden, Tunisia, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: Brazil, Saint Lucia, United States of America.

Abstentions: China, Colombia, Costa Rica, Ecuador, Lebanon, Liberia, Malaysia, Pakistan, Romania, Sri Lanka, Thailand, Zaire.

Situation of human rights in Guatemala

40. At its 16th meeting, the Committee adopted draft decision 9, entitled "Situation of human rights in Guatemala", by 30 votes to 1, with 13 abstentions and submitted it to the Council (see para. 66 below, draft decision IX).



Human rights situation in the Islamic Republic of Iran

41. At its 16th meeting, the Committee adopted draft decision 10, entitled "Human rights situation in the Islamic Republic of Iran", by 28 votes to 2, with 13 abstentions and submitted it to the Council (see para. 66 below, draft decision X).

42. The representative of Qatar made a statement before the adoption of the draft decision.

Review of the work of the Sub-Commission on Prevention of  
Discrimination and Protection of Minorities

43. At its 16th meeting, the Committee adopted draft decision 11, entitled "Review of the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities", by 49 votes to 1 and submitted it to the Council (see para. 66 below, draft decision XI).

Question of human rights in Chile

44. At its 16th meeting, the Committee adopted draft decision 12, entitled "Question of human rights in Chile", by a recorded vote of 33 to 3, with 10 abstentions and submitted it to the Council (see para. 66 below, draft decision XII). The voting was as follows:

In favour: Algeria, Argentina, Austria, Benin, Bulgaria, Canada, Congo, Costa Rica, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Luxembourg, Mexico, Netherlands, New Zealand, Papua New Guinea, Poland, Portugal, Qatar, Romania, Saudi Arabia, Sri Lanka, Suriname, Swaziland, Sweden, Tunisia, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: Brazil, Pakistan, United States of America.

Abstentions: China, Colombia, Ecuador, Japan, Lebanon, Liberia, Malaysia, Saint Lucia, Thailand, Zaire.

Measures to combat racism and racial discrimination

45. At its 16th meeting, the Committee adopted draft decision 13, entitled "Measures to combat racism and racial discrimination", and submitted it to the Council (see para. 66 below, draft decision XIII).

Human rights and scientific and technological developments - Principles, guidelines and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder

46. At its 16th meeting, the Committee adopted draft decision 14, entitled "Human rights and scientific and technological developments - Principles, guidelines and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder", and submitted it to the Council (see para. 66 below, draft decision XIV).

Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission on Human Rights resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII)

47. At its 16th meeting, the Committee adopted draft decision 15, entitled "Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII)", by 42 votes to 1, with 4 abstentions and submitted it to the Council (see para. 66 below, draft decision XV).

Organization of the work of the Commission on Human Rights

48. At its 16th meeting, the Committee adopted draft decision 16, entitled "Organization of the work of the Commission", and submitted it to the Council (see para. 66 below, draft decision XVI).

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 those situations of which the Commission is seized

49. At its 16th meeting, the Committee adopted draft decision 17, entitled "General decision concerning the establishment of a working group of the Commission to examine situations referred to the Commission under Economic and Social Council resolution 1503 (XLVIII) and those situations of which the Commission is seized" and submitted it to the Council (see para. 66 below, draft decision XVII).

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-sixth session

50. At its 16th meeting, the Committee adopted draft decision 18, entitled "Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-sixth session", and submitted it to the Council (see para. 66 below, draft decision XVIII).

Report of the Commission on Human Rights

51. At its 16th meeting, the Committee adopted draft decision 19, entitled "Report of the Commission on Human Rights", and submitted it to the Council (see para. 66 below, draft decision XIX).

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52. The representative of Venezuela made a statement.

B. Draft decision E/1984/C.2/L.2

53. At the 11th meeting, on 15 May, the representative of Malaysia, on behalf of Bangladesh,\* Belgium,\* Canada, Costa Rica, Fiji,\* Gambia,\* Germany, Federal Republic of, Italy,\* Japan, Liberia, Luxembourg, Malaysia, Nepal,\* Netherlands, New Zealand, Pakistan, Papua New Guinea, Philippines,\* Saint Lucia, Samoa,\* Singapore,\* Solomon Islands,\* Somalia, Sudan,\* Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay,\* and Zaire, introduced a draft decision (E/1984/C.2/L.2) entitled "Right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

54. A statement on the programme, financial and administrative implications of the draft decision was submitted by the Secretary-General (E/1984/C.2/L.7).

55. At its 16th meeting, on 17 May, the Commission adopted the draft decision by a recorded vote of 39 to 5, with 5 abstentions and submitted it to the Council (see para. 66 below, draft decision XX). The voting was as follows:

In favour: Argentina, Austria, Benin, Botswana, Brazil, Canada, China, Costa Rica, Djibouti, Ecuador, France, Germany, Federal Republic of, Greece, Indonesia, Japan, Liberia, Luxembourg, Malaysia, Netherlands, New Zealand, Pakistan, Papua New Guinea, Portugal, Qatar, Saint Lucia, Saudi Arabia, Sierra Leone, Somalia, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia, Zaire.

Against: Bulgaria, Congo, German Democratic Republic, Poland, Union of Soviet Socialist Republics.

Abstentions: Algeria, Finland, Lebanon, Mexico, Uganda.

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\* In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

56. Statements were made by the representative of the Union of Soviet Socialist Republics (on behalf also of Bulgaria, the German Democratic Republic and Poland) before the adoption of the draft decision and by the representative of Sweden after the adoption of the draft decision.

C. Draft resolution E/1984/C.2/L.4

57. At the 14th meeting, on 16 May, the representative of Sri Lanka, on behalf of Australia,\* Bangladesh,\* Bhutan,\* India,\* Nepal,\* Pakistan, Papua New Guinea and Sri Lanka, introduced a draft resolution (E/1984/C.2/L.4) entitled "Regional arrangements for the promotion and protection of human rights". Subsequently, Costa Rica and New Zealand joined in sponsoring the draft resolution.

58. At its 16th meeting, on 17 May, the Committee adopted the draft resolution and submitted it to the Council (see para. 65 below, draft resolution XVII).

D. Draft resolution E/1984/C.2/L.5

59. At the 14th meeting, on 16 May, the representative of Mexico, on behalf of Algeria, Argentina, Bangladesh,\* Colombia, Ecuador, Egypt,\* France, Greece, Mexico, Morocco,\* Pakistan, Portugal, Sweden and Yugoslavia, introduced a draft resolution (E/1984/C.2/L.5) entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers and their families". Subsequently, Costa Rica, Finland and Italy\* joined in sponsoring the draft resolution.

60. At its 16th meeting, on 17 May, the Committee adopted the draft resolution and submitted it to the Council (see para. 65 below, draft resolution XVIII).

E. Draft resolution E/1984/C.2/L.6

61. At the 14th meeting, on 16 May, the observer for Zambia,\* on behalf of Cuba,\* Egypt,\* Gambia,\* Somalia, Uganda and Zambia,\* introduced a draft resolution (E/1984/C.2/L.6) entitled "Report of the Ad Hoc Working Group of Experts of the Commission on Human Rights on allegations of infringements of trade union rights in the Republic of South Africa". Subsequently, Djibouti joined in sponsoring the draft resolution.

62. At its 16th meeting, on 17 May, the Committee adopted the draft resolution and submitted it to the Council (see para. 65 below, draft resolution XIX).

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\* In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

F. 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

63. At its 16th meeting, on 17 May, on the proposal of the Chairman, the Committee adopted a draft decision entitled "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", and submitted it to the Council (see para. 66 below, draft decision XXI).

G. Note by the Secretary-General on allegations regarding infringements of trade union rights

64. At its 16th meeting, on 17 May, on the proposal of the Chairman, the Committee adopted a draft decision entitled "Note by the Secretary-General on allegations regarding infringements of trade union rights" and submitted it to the Council (see para. 66 below, draft decision XXII).

RECOMMENDATIONS OF THE SECOND (SOCIAL) COMMITTEE

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

DRAFT RESOLUTION I

Measures to combat racism and racial discrimination

The Economic and Social Council,

Mindful of resolution 1983/10 of 5 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 2/ and Commission on Human Rights resolution 1984/9 of 28 February 1984 3/ on measures to combat racism and racial discrimination,

1. Authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Asbjørn Eide with carrying out a study on the achievements made and obstacles encountered during the Decade for Action to Combat Racism and Racial Discrimination, with special emphasis on the progress made in this field, if any, between the first and second world conferences to combat racism and racial discrimination, taking into account also any resolutions the General Assembly might adopt on the report of the Second World Conference to Combat Racism and Racial Discrimination 4/ and the first stage of the implementation of the Programme of Action for the Second Decade; 5/
2. Recommends that the study should propose new or additional measures in this field which can be taken up for examination by the Sub-Commission;
3. Requests the Secretary-General to give all necessary assistance to Mr. Asbjørn Eide in his work;
4. Requests that the study be presented to the Sub-Commission at its thirty-eighth session.

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2/ See E/CN.4/1984/3 and Corr.2, chap. XXI, sect. A.

3/ See Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14), chap. II.

4/ United Nations publication, Sales No. E.83.XIV.4.

5/ General Assembly resolution 38/14, annex.

DRAFT RESOLUTION II

Question of a convention on the rights of the child

The Economic and Social Council,

Recalling General Assembly resolution 38/114 of 16 December 1983, by which the General Assembly requested the Commission on Human Rights to give the highest priority at its fortieth session to the question of completing the draft convention on the rights of the child, and Economic and Social Council resolution 1983/39 of 27 May 1983, by which the Council authorized a meeting of an open-ended working group for a period of one week prior to the fortieth session of the Commission to facilitate and speed up the completion of the work on a draft convention on the rights of the child,

Considering that it was not found possible to complete the work on the draft convention during the fortieth session of the Commission,

Taking note of Commission on Human Rights resolution 1984/24 of 8 March 1984, 3/

1. Authorizes a meeting of an open-ended working group for a period of one week prior to the forty-first session of the Commission on Human Rights to facilitate and speed up the completion of the work on a draft convention on the rights of the child;

2. Requests the Secretary-General to transmit documents relating to the draft convention on the rights of the child to the Commission on Human Rights at its forty-first session and to extend all facilities to the open-ended working group during the meeting to be held prior to the forty-first session of the Commission.

DRAFT RESOLUTION III

Human rights violations and disabled persons

The Economic and Social Council,

Recalling its resolution 1983/19 of 26 May 1983,

Having regard to the Declaration on the Rights of Mentally Retarded Persons, 6/ the Declaration on the Rights of Disabled Persons 7/ and the Declaration on the Rights of Deaf-Blind Persons, 8/

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6/ General Assembly resolution 2856 (XXVI).

7/ General Assembly resolution 3447 (XXX).

8/ Economic and Social Council decision 1979/24, annex.

Welcoming the decision of the General Assembly, in its resolution 37/53 of 3 December 1982, to proclaim the period 1983-1992 United Nations Decade of Disabled Persons,

Deeply concerned that serious violations of human rights remain a significant cause of temporary and permanent disability,

1. Encourages the efforts of the Secretary-General to obtain the views of United Nations bodies, specialized agencies, regional intergovernmental organizations, the International Committee of the Red Cross and other concerned non-governmental organizations on ways and means of preventing serious violations of human rights which may cause disabilities;
2. Requests Governments to pay particular attention to ways and means of strengthening procedures whereby disabled persons may seek redress for human rights violations in accordance with resolution 1982/1 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities; 9/
3. Invites Governments, in consultation with organizations of and for disabled persons, to inform the Secretary-General of their views and policies on these issues so that he can transmit them to the Sub-Commission, in accordance with its resolution 1982/1, for consideration at its thirty-seventh session;
4. Requests the Sub-Commission to appoint a special rapporteur to undertake a thorough study, in consultation with the Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat, of the causal connection between serious violations of human rights and fundamental freedoms and disability as well as of the progress made to alleviate problems, and to submit its views and recommendations, through the Commission on Human Rights and the Commission on Social Development, to the Economic and Social Council at its first regular session of 1986;
5. Decides exceptionally to include in the agenda of its first regular session of 1986 a special item on disabled persons to coincide with the approach, in 1987, of the mid-point of the United Nations Decade of Disabled Persons, in order to allow for a full debate of the Special Rapporteur's report and the views and recommendations of the Sub-Commission, the Commission on Human Rights and the Commission on Social Development on these and related issues.

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9/ See E/CN.4/1983/4 and Corr.1, chap. XXI, sect. A.



DRAFT RESOLUTION IV

Conscientious objection to military service

The Economic and Social Council

1. Decides:

(a) That the report prepared by Mr. Eide and Mr. Mubanga-Chipoya on conscientious objection to military service 10/ should be printed and given the widest distribution;

(b) To transmit the report for comments and observations to Governments and to relevant United Nations bodies and specialized agencies, other intergovernmental organizations and non-governmental organizations;

2. Requests the Secretary-General to report to the Commission on Human Rights at its forty-first session on those comments and observations as well as on other significant developments regarding the human rights of conscientious objectors;

3. Requests the Commission on Human Rights to study the report on conscientious objection to military service, including the recommendations contained therein, as well as the report of the Secretary-General containing the comments and observations, under the item entitled "The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service".

DRAFT RESOLUTION V

Exploitation of child labour

The Economic and Social Council,

Requests the Secretary-General to organize, in close co-operation with the International Labour Office, a seminar on ways and means of achieving the elimination of the exploitation of child labour in all parts of the world, within the framework of the programme of advisory services in the field of human rights.

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10/ E/CN.4/Sub.2/1983/30.

DRAFT RESOLUTION VI

Violations of human rights and fundamental freedoms - Study of Discrimination in Respect of the Right of Everyone to Leave Any Country, Including His Own, and to Return to His Country

The Economic and Social Council,

Recalling the Study of Discrimination in Respect of the Right of Everyone to Leave Any Country, Including His Own, and to Return to His Country, 11/ submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fifteenth session, in 1963, by the Special Rapporteur, Mr. José D. Ingles, and the draft principles respecting this right adopted by the Sub-Commission at the same session, 12/

Also recalling Sub-Commission resolution 7 (XXXIV) of 9 September 1981, 13/ by which the Sub-Commission requested the Secretary-General to submit to it at its thirty-fifth session a concise note informing it of the consideration given by the Commission on Human Rights and the Economic and Social Council to the report on the aforementioned study,

Noting the report of the Secretary-General 14/ submitted pursuant to that resolution,

Noting also Sub-Commission resolutions 1982/23 of 8 September 1982 9/ and 1983/5 of 31 August 1983 2/ and Commission on Human Rights resolution 1984/37 of 12 March 1984, 3/

1. Endorses the appointment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of Mr. Mubanga-Chipoya to prepare an analysis of current trends and developments in respect of the right of everyone to leave any country, including his own, and to return to his country, and to have the possibility of entering other countries, without discrimination or hindrance, especially of the right to employment, taking into account the need to avoid the phenomenon of the brain drain from developing countries and the question of recompensing those countries for the loss incurred, and to study in particular the extent of restrictions permissible under article 12, paragraph 3, of the International Covenant on Civil and Political Rights; 15/

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11/ United Nations publication, Sales No. 64.XIV.2.

12/ See E/CN.4/846 and Corr.1, chap. VI.

13/ See E/CN.4/1512, chap. XX, sect. A.

14/ E/CN.4/Sub.2/1982/27.

15/ General Assembly resolution 2200 (XXI), annex.

2. Requests the Rapporteur to submit to the Sub-Commission at its thirty-seventh session for its consideration recommendations for promoting and encouraging respect for and observance of that right;

3. Requests the Secretary-General to provide all necessary assistance to Mr. Mubanga-Chipoya for the completion of this task.

#### DRAFT RESOLUTION VII

##### Report on the exploitation of labour through illicit and clandestine trafficking

##### The Economic and Social Council

##### 1. Decides:

(a) That the report prepared by the Special Rapporteur, Mrs. H. E. Warzazi, on the exploitation of labour through illicit and clandestine trafficking 16/ should be printed and given the widest distribution;

(b) To transmit the report for comments and observations to Governments and to relevant United Nations bodies and specialized agencies, other intergovernmental organizations and non-governmental organizations;

2. Requests the Secretary-General to report to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-seventh session on those comments and views as well as on other significant developments regarding the human rights of migrant workers.

#### DRAFT RESOLUTION VIII

##### The status of the individual and contemporary international law

##### The Economic and Social Council,

Mindful of resolution 1983/17 of 5 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 2/ and Commission on Human Rights resolution 1984/41 of 12 March 1984, 3/

Recognizing the importance and usefulness of the study on the status of the individual and contemporary international law, in particular in the field of the protection of the human rights of the individual at regional and international levels,

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16/ E/CN.4/Sub.2/L.640.

Expressing its deep appreciation to the Special Rapporteur, Mrs. Erica-Irene A. Daes, for her preliminary report and the excellent work she has so far accomplished in connection with the important study in progress on the status of the individual and contemporary international law,

1. Requests the Special Rapporteur to continue her work on the above-mentioned study with a view to submitting her final report to the Sub-Commission at its thirty-seventh session;
2. Requests the Secretary-General to transmit, as soon as possible, a reminder, with the relevant questionnaire, to Governments, specialized agencies, regional and other intergovernmental organizations and non-governmental organizations which have not yet replied to that questionnaire to submit, if they so wish, their comments, views and information to the Special Rapporteur;
3. Further requests the Secretary-General to give the Special Rapporteur all the assistance she may require to carry out her work.

DRAFT RESOLUTION IX

Advisory services in the field of human rights - Assistance to the Government of Bolivia

The Economic and Social Council,

Bearing in mind Commission on Human Rights resolution 1984/43 of 13 March 1984, 3/

Conscious of the role that the United Nations can play in promoting, protecting and strengthening human rights and fundamental freedoms throughout the world,

Bearing in mind the request by the Government of Bolivia for assistance in strengthening human rights and fundamental freedoms in that country,

1. Requests the Secretary-General, under the programme of advisory services in the field of human rights and in consultation with the Government of Bolivia, to examine ways and means and possible resources for rapid implementation of the projects suggested by the Special Envoy of the Commission on Human Rights in his report on assistance to Bolivia, considered by the Commission on Human Rights at its fortieth session; 17/
2. Invites all Member State, United Nations organizations and humanitarian and non-governmental organizations to provide support and assistance to the Government of Bolivia in its efforts to strengthen the enjoyment of human rights and fundamental freedoms in that country;

17/ See E/CN.4/1984/46.

3. Specially invites the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization to provide the Government of Bolivia with the assistance required, in keeping with the means available to them and their spheres of competence;

4. Requests the Commission on Human Rights to consider this question at its forty-first session, in the light of the Secretary-General's report on the implementation of the present resolution.

DRAFT RESOLUTION X

Human rights and scientific and technological developments -  
Principles, guidelines and guarantees for the protection of  
persons detained on grounds of mental ill-health or  
suffering from mental disorder

The Economic and Social Council,

Mindful of resolution 1983/39 of 7 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 2/ and Commission on Human Rights resolution 1984/47 of 13 March 1984, 3/

1. Expresses its deep appreciation to the Special Rapporteur, Mrs. Erica-Irene A. Daes, for her work in preparing her report on principles, guidelines and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder; 18/
2. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish a sessional working group and to allocate to it appropriate time and facilities for a further examination, as a matter of high priority, of the draft body of principles, guidelines and guarantees annexed to the report of the Special Rapporteur 19/ and to submit the draft body of principles, guidelines and guarantees to the Commission on Human Rights at its forty-second session.

DRAFT RESOLUTION XI

Question of slavery and the slave trade in all their  
practices and manifestations

The Economic and Social Council

1. Requests the Secretary-General to entrust a working group composed of experts designated by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization with the task of conducting a comprehensive study on the phenomenon of traditional practices affecting the health of women and children;
2. Requests the Secretary-General to provide the working group with all the assistance it may need to carry out the study;

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18/ E/CN.4/Sub.2/1983/17 and Add.1.

19/ E/CN.4/Sub.2/1983/17, annex II.

3. Requests all interested non-governmental organizations to co-operate in the study;

4. Requests the working group to submit its report to the Commission on Human Rights at its forty-second session.

#### DRAFT RESOLUTION XII

##### Summary of arbitrary executions

##### The Economic and Social Council,

Recalling the Universal Declaration of Human Rights, 20/ which guarantees the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights, 21/ which states that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling General Assembly resolution 34/175 of 17 December 1979, in which the Assembly reaffirmed that mass and flagrant violations of human rights were 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,

Mindful of General Assembly resolutions 36/22 of 9 November 1981, 37/182 of 17 December 1982 and 38/96 of 16 December 1983,

Taking note of resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 9/ in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary and arbitrary executions,

Taking note also of the work done by the Committee on Crime Prevention and Control in the area of summary and arbitrary executions, including the elaboration of minimum legal guarantees and safeguards to prevent recourse to such extra-legal executions, to be considered by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1985, 22/

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20/ General Assembly resolution 217 A (III).

21/ General Assembly resolution 2200 (XXI), annex.

22/ See Official Records of the Economic and Social Council, 1984, Supplement No. 6 (E/1984/16), chap. VII.

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

1. Strongly deplores, once again, the large number of summary or arbitrary executions, including extra-legal executions, which continue to take place in various parts of the world;
2. Appeals urgently to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-large executions;
3. Takes note with appreciation of the report of the Special Rapporteur, Mr. S. Amos Wako; 23/
4. Decides to continue the mandate of the Special Rapporteur, Mr. S. Amos Wako, for another year, in order to enable him to submit further conclusions and commendations to the Commission;
5. Requests the Special Rapporteur in carrying out his mandate to continue to examine situations of summary or arbitrary executions and to pay special attention to cases in which a summary or arbitrary execution is imminent or threatened;
6. Requests the Special Rapporteur in carrying out his mandate to respond effectively to information that comes before him;
7. Considers that the Special Rapporteur in carrying out his mandate should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council;
8. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may carry out his mandate effectively;
9. Urges all Governments and all others concerned to co-operate with and assist the Special Rapporteur;
10. Requests the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-first session, under the item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".



DRAFT RESOLUTION XIII

Situation in Equatorial Guinea

The Economic and Social Council,

Recalling its resolutions 1982/36 of 7 May 1982 and 1983/35 of 27 May 1983,

Bearing in mind Commission on Human Rights resolution 1984/51 of 14 March 1984, 3/

Considering that there has been no major change in the situation of human rights in Equatorial Guinea since the events of 3 August 1979,

Noting that it has not been possible to implement all the recommendations contained in its resolution 1983/35,

1. Urges the Government of Equatorial Guinea to co-operate with the Secretary-General in order to ensure the full enjoyment of human rights and fundamental freedoms in that country;
2. Requests the Secretary-General to appoint an expert to visit Equatorial Guinea in order to study, in conjunction with the Government of that country, the best way of implementing the plan of action proposed by the United Nations;
3. Requests the Commission on Human Rights to keep this matter under consideration at its forty-first session.

DRAFT RESOLUTION XIV

Question of the violation of human rights and fundamental freedoms - Situation in Afghanistan

The Economic and Social Council,

Mindful of resolution 1983/20 of 5 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities 2/ and Commission on Human Rights resolution 1984/55 of 15 March 1984, 3/

1. Requests the Chairman of the Commission on Human Rights to appoint an individual of recognized international standing as Special Rapporteur with the mandate to examine the human rights situation in Afghanistan, with a view to formulating proposals which 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;
2. Authorizes the Special Rapporteur to seek relevant information from specialized agencies, intergovernmental organizations and non-governmental organizations;

3. Requests the Special Rapporteur to submit a comprehensive report to the Commission at its forty-first session.

DRAFT RESOLUTION XV

Draft body of principles and guidelines on the right and responsibility of individuals, groups and organs of society to promote and protect human rights and fundamental freedoms

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1983/31 of 8 March 1983 24/ and resolution 1982/24 of 8 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, 9/ by which the Sub-Commission, inter alia, requested Mrs. Erica-Irene A. Daes to prepare draft principles on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

Mindful of Sub-Commission resolution 1983/40 of 7 September 1983 2/ and Commission on Human Rights resolution 1984/56 of 15 March 1984, 3/

Expressing its deep appreciation to the Special Rapporteur, Mrs. Erica-Irene A. Daes, for the work she has thus far accomplished in connection with the important elaboration of a study on draft principles on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

1. Requests the Special Rapporteur, Mrs. Erica-Irene A. Daes, to continue her work on the above-mentioned study with a view to submitting, if possible, her final report to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-seventh session;

2. Requests the Secretary-General to transmit the relevant questionnaire, which will be prepared by the Special Rapporteur on the basis of the above-mentioned resolutions, and the comments made by the members of the Sub-Commission to Governments, specialized agencies, regional organizations, intergovernmental organizations and non-governmental organizations for their comments and replies;

3. Further requests the Secretary-General to give the Special Rapporteur all the assistance she may require in her work.

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24/ See Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

DRAFT RESOLUTION XVI

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

The Economic and Social Council,

Conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling General Assembly resolution 36/53 of 25 November 1981, in which the Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Bearing in mind Commission on Human Rights resolution 1983/40 of 9 March 1983, 24/

Welcoming the appointment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of a Special Rapporteur to undertake the comprehensive and thorough study requested in that resolution,

Noting Sub-Commission resolution 1983/31 of 6 September 1983, 2/

Aware that intolerance and discrimination on the grounds of religion or belief continue to occur in many parts of the world,

1. Authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust the Special Rapporteur, Mrs. Odio Benito, with the preparation of a study, in accordance with the terms of Sub-Commission resolution 1983/31, on the current dimensions of the problems of intolerance and of discrimination on grounds of religion or belief;

2. Requests the Secretary-General to give the Special Rapporteur all the assistance she may require in her work;

3. Requests the Special Rapporteur to submit her study to the Sub-Commission at its thirty-seventh session;

4. Requests the Commission on Human Rights to consider this matter further at its forty-first session under the item entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".

DRAFT RESOLUTION XVII

Regional arrangements for the promotion and protection  
of human rights

The Economic and Social Council,

Recalling General Assembly resolutions 34/171 of 17 December 1979, 35/197 of 15 December 1980 and 36/154 of 16 December 1981 on regional arrangements for the promotion and protection of human rights.

Recalling also General Assembly resolution 37/171 of 17 December 1982, by which the Assembly requested the Secretary-General to transmit the report of the Seminar on National, Local and Regional Arrangements for the Protection of Human Rights in the Asian region, held at Colombo from 21 June to 2 July 1982, 25/ to States members of the Economic and Social Commission for Asia and the Pacific and to invite their comments thereon,

1. Takes note of the report of the Secretary-General on regional arrangements for the promotion and protection of human rights 26/ and the comments of States members of the Economic and Social Commission for Asia and the Pacific annexed thereto;

2. Requests States members of the Commission in the Asia and Pacific region which have not yet done so to communicate their comments on the report of the Seminar on National, Local and Regional Arrangements for the Protection of Human Rights in the Asian Region to the Secretary-General in time for submission to the General Assembly at its thirty-ninth session;

3. Requests the Secretary-General to transmit his report, together with further comments on the Seminar received from States members of the Economic and Social Commission for Asia and the Pacific to the General Assembly at its thirty-ninth session.

DRAFT RESOLUTION XVIII

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

The Economic and Social Council,

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

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25/ A/37/422, annex.

26/ A/39/174-E/1984/38.

Recalling in that regard the provisions of the Universal Declaration of Human Rights, 27/ of the International Convention on the Elimination of All Forms of Racial Discrimination 28/ and of the International Covenants on Human Rights, 29/

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

Noting, in particular, that the problems of migrant workers, which are becoming more serious in some regions for political and economic reasons and for social and cultural reasons, constitute a matter of grave concern and continue to be of the greatest importance to certain countries,

Mindful of the important contribution made by the International Labour Organisation in the protection of the rights of all migrant workers,

Appreciating also the efforts of the United Nations Educational, Scientific and Cultural Organization in matters relating to migrant workers,

Deeply concerned at the fact that, despite the general effort made by Member States, regional intergovernmental organizations and various United Nations bodies, migrant workers are still unable fully to exercise their rights in the social field and in the labour field, as defined in the Universal Declaration of Human Rights,

Emphasizing, therefore, the efforts that must still be made effectively to protect the rights of all migrant workers and their living conditions,

Recalling its resolutions 1981/21 of 6 May 1981 and 1983/40 of 27 May 1983, and Commission on Human Rights resolution 1984/61 of 15 March 1984, 3/

Recalling also its resolutions 1980/16 of 30 April 1980 and 1981/35 of 9 May 1981,

1. Welcomes the progress made by the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families, established in pursuance of General Assembly resolution 34/172 of 17 December 1979;

2. Expresses again its conviction that the drafting of that convention will further facilitate the exchanges of views needed for protecting the human rights and improving the situation of migrant workers and their families;

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27/ General Assembly resolution 217 A (III).

28/ General Assembly resolution 2106 A (XX), annex.

29/ General Assembly resolution 2200 A (XXI), annex.

3. Expresses the hope that substantial progress will be made by the Working Group during the two meetings to be held in 1984 in accordance with General Assembly resolution 38/86 of 16 December 1983, with a view to completing the drafting of the convention during the thirty-ninth session of the General Assembly;

4. Decides to consider at its first regular session of 1985 the question of measures to improve the situation and ensure the human rights and dignity of all migrant workers and to monitor the status of work done with a view to protecting the rights of all migrant workers and their families.

DRAFT RESOLUTION XIX

Report of the Ad Hoc Working Group of Experts of the Commission on Human Rights on allegations of infringements of trade union rights in the Republic of South Africa

The Economic and Social Council,

Recalling its resolution 1982/40 of 7 May 1982,

Having examined the extract from the progress report of the Ad Hoc Working Group of Experts on southern Africa, 30/

Noting with grave concern that police and State interference in industrial disputes and repression against independent black trade union movements have persisted,

1. Takes note of the extract from the progress report of the Ad Hoc Working Group of Experts on southern Africa;
2. Demands the cessation of persecution of trade unionists by the Government of South Africa;
3. Calls once again for the immediate recognition of the unimpeded exercise of freedom of association and trade union rights by the entire population of South Africa, without discrimination of any kind;
4. Demands the immediate release of all imprisoned trade unionists and the lifting of the orders banning trade unionists and trade union organizations;
5. 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 Council;
6. Also requests the Ad Hoc Working Group of Experts, in the discharge of its mandate, to consult with the International Labour Organisation and the Special Committee against Apartheid, as well as with international and African trade union confederations;
7. Decides to consider at its first regular session of 1985 the question of allegations of infringements of trade union rights in South Africa as a sub-item under the item entitled "Human rights questions".

66. The Second (Social) Committee also recommends to the Economic and Social Council the adoption of the following draft decisions:

DRAFT DECISION I

Violations of human rights in southern Africa: report  
of the Ad Hoc Working Group of Experts

The Economic and Social Council, noting Commission on Human Rights resolution 1984/5 of 28 February 1984, 3/ takes note of the findings on the violation of trade union rights in South Africa contained in the progress report 31/ of the Ad Hoc Working Group of Experts on southern Africa, and endorses the Commission's request to the Ad Hoc Working Group of Experts to continue its study and to bring to the attention of the Commission at its forty-first session violations of human rights in South Africa and Namibia.

DRAFT DECISION II

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 Commission on Human Rights resolution 1984/6 of 28 February 1984, 3/ endorses the Commission's decision to welcome the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to mandate the Special Rapporteur, Mr. Ahmed Khalifa, to continue to update the list of banks, transnational corporations and other organizations assisting the colonial and racist régime in South Africa, subject to annual review, and to submit the revised report to the Commission, through the Sub-Commission.

DRAFT DECISION III

Popular participation in its various forms as an important factor  
in development and in the full realization of all human rights

The Economic and Social Council, noting Commission on Human Rights resolution 1984/15 of 6 March 1984, 3/ endorses the Commission's request to the Secretary-General, in preparing the final study on the right to popular participation in its various forms as an important factor in development and in the full realization of all human rights, to take into account the views expressed at the fortieth session of the Commission. The Council further endorses the Commission's invitation to those Governments, United Nations organs and specialized agencies that have not yet done so to transmit their comments and views to the Secretary-General, as called for in Economic and Social Council resolution 1983/31 of 27 May 1983.



DRAFT DECISION IV

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 Commission on Human Rights resolution 1984/16 of 6 March 1984, 3/ endorses the Commission's decision to reconvene the Working Group of Governmental Experts on the Right to Development with the same mandate as before in order to allow it to elaborate, on the basis of its report, 32/ and all the documents already submitted or to be submitted, a draft declaration on the right to development. The Council also endorses the Commission's request to the Working Group to hold two sessions of two weeks each at Geneva.

DRAFT DECISION V

The new international economic order and the promotion of human rights

The Economic and Social Council notes Commission on Human Rights resolution 1984/17 of 6 March 1984 3/ and decides that the study on the new international economic order and the promotion of human rights 33/ should be published and given the widest possible distribution in all the official languages of the United Nations.

DRAFT DECISION VI

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

The Economic and Social Council, noting Commission on Human Rights resolution 1984/21 of 6 March 1984 3/ decides to transmit to the General Assembly the report of the working group established by the Commission to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment, 34/ as well as the summary records of the Commission's debate on this question during its fortieth session. The Council further notes the Commission's request to the Secretary-General to submit the comments received from Governments on the draft convention, in conformity with Commission resolution 1984/21, to the General Assembly at its thirty-ninth session and the Commission's recommendation that the Assembly should consider, pursuant to its resolution 38/119 of 16 December 1983, the draft convention contained in the annex to the working group's report as a matter of priority, with a view to the early adoption of a convention against torture and other cruel, inhuman or degrading treatment or punishment.

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32/ E/CN.4/1984/13 and Corr.1 and 2.

33/ E/CN.4/Sub.2/1983/24 and Add.1/Rev.1 and Add. 2.

34/ E/CN.4/1984/72.

DRAFT DECISION VII

Question of enforced or involuntary disappearances

The Economic and Social Council, noting Commission on Human Rights resolution 1984/23 of 6 March 1984, 3/ approves the Commission's decision to extend for one year the mandate of the Working Group on Enforced or Involuntary Disappearances, as laid down in Commission resolution 20 (XXXVI) of 29 February 1980. 35/ The Council further endorses the Commission's request to the Secretary-General to continue to provide the Working Group with all necessary assistance, in particular the staff and resources it requires to perform its functions in an effective and expeditious manner and, if necessary, to make the appropriate arrangements to ensure the continuity of the Secretariat's work.

DRAFT DECISION VIII

Situation of human rights in El Salvador

The Economic and Social Council, noting Commission on Human Rights resolution 1984/52 of 14 March 1984, 3/ endorses the Commission's decision to extend the mandate of the Special Representative on the situation of human rights in El Salvador for another year and to request him to submit his report on further developments in the situation of human rights in El Salvador to the General Assembly at its thirty-ninth session and to the Commission at its forty-first session. The Council further endorses the Commission's request to the Secretary-General to give all necessary assistance to the Special Representative of the Commission.

DRAFT DECISION IX

Situation of human rights in Guatemala

The Economic and Social Council, noting Commission on Human Rights resolution 1984/53 of 14 March 1984, 3/ endorses the Commission's decision to extend the mandate of the Special Rapporteur on the situation of human rights in Guatemala for another year and its request to him to report on the subsequent development of the situation of human rights in that country, taking into account developments in regard to the recommendations in his reports as well as information from other reliable sources, and to submit an interim report to the General Assembly at its thirty-ninth session and a final report to the Commission at its forty-first session. The Council further endorses the Commission's request to the Secretary-General to give all necessary assistance to the Special Rapporteur.

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

DRAFT DECISION X

Human rights situation in the Islamic Republic of Iran

The Economic and Social Council, noting Commission on Human Rights resolution 1984/54 of 14 March 1984, 3/ endorses the Commission's decision to request its Chairman to appoint, after consultation within the Bureau, a special representative of the Commission, whose mandate will be to establish contacts with the Government of the Islamic Republic of Iran and to make a thorough study of the human rights situation in that country based on such information as he may deem relevant, including comments and materials provided by the Government, containing conclusions and appropriate suggestions, to be submitted to the Commission at its forty-first session. The Council further endorses the Commission's request to the Secretary-General to give all necessary assistance to the special representative of the Commission.

DRAFT DECISION XI

Review of the work of the Sub-Commission on Prevention  
of Discrimination and Protection of Minorities

The Economic and Social Council, noting Commission on Human Rights resolution 1984/60 of 15 March 1984, 3/ notes the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish at its thirty-seventh session a working group to study in depth the working methods and the programme of work of the Sub-Commission, including its relationship with the Commission and the Secretariat, and endorses the Commission's invitation for an exchange of views between a spokesman for that working group and the Commission or a working group of the Commission during the forty-first session of the Commission.

DRAFT DECISION XII

Question of human rights in Chile

The Economic and Social Council, noting Commission on Human Rights resolution 1984/63 of 15 March 1984, 3/ endorses the Commission's decision to extend the mandate of the Special Rapporteur on the situation of human rights in Chile for another year, and the Commission's request to him to report on the situation of human rights in that country to the General Assembly at its thirty-ninth session and to the Commission at its forty-first session. The Council requests the Secretary-General to make appropriate arrangements to ensure that the necessary financial resources and sufficient staff are provided to implement the resolution of the Commission.

DRAFT DECISION XIII

Measures to combat racism and racial discrimination

The Economic and Social Council, noting Commission on Human Rights decision 1984/107 of 12 March 1984, 3/ decides that the report prepared by Mr. Abu Sayeed Chowdhury, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, entitled "Study on discriminatory treatment of members of racial, ethnic, religious or linguistic groups at the various levels in the administration of criminal justice, 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 administration of criminal justice", 36/ in accordance with section A of Sub-Commission resolution 4 (XXXIII) of 5 September 1980, 37/ should be printed and given the widest possible distribution, including distribution in Arabic.

DRAFT DECISION XIV

Human rights and scientific and technological developments -  
Principles, guidelines and guarantees for the protection of  
persons detained on grounds of mental ill-health or  
suffering from mental disorder

The Economic and Social Council, noting Commission on Human Rights decision 1984/108 of 13 March 1984, 3/ decides that the study entitled "Principles, guidelines and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder" 38/ should be published, without annex III, and given the widest possible distribution in all the official languages of the United Nations.

DRAFT DECISION XV

Study of situations which appear to reveal a consistent pattern of  
gross violations of human rights as provided in Commission on Human  
Rights resolution 8 (XXIII) and Economic and Social Council  
resolutions 1235 (XLII) and 1503 (XLVIII)

The Economic and Social Council, noting Commission on Human Rights decision 1984/109 of 1 March 1984, 3/ decides to request the Secretary-General to continue his consultations with the Government of Haiti, as envisaged in his report to the Commission, with a view to further exploring ways and means of providing the

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36/ E/CN.4/Sub.2/L.766 and E/CN.4/Sub.2/1982/7.

37/ See E/CN.4/1413 and Corr.1, chap. XVII, sect. A.

38/ E/CN.4/Sub.2/1983/17.

Government of Haiti with assistance to facilitate the realization of full enjoyment of human rights for the people of Haiti, and requests the Secretary-General to report to the Commission at its forty-first session on the implementation of the present decision.

DRAFT DECISION XVI

Organization of the work of the Commission on Human Rights

The Economic and Social Council, noting Commission on Human Rights decision 1984/113 of 16 March 1984, 3/ decides to authorize, if possible within the existing financial resources, 20 fully-serviced additional meetings, including summary records, for the Commission's forty-first session. The Council takes note of the Commission's decision to request its Chairman at the forty-first session to make every effort to organize the work of the session within the normal allotted time, the additional meetings authorized by the Council to be utilized only if such meetings prove to be absolutely necessary.

DRAFT DECISION XVII

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 those situations of which the Commission is seized

The Economic and Social Council approves the decision of the Commission on Human Rights, in its decision 1984/114 of 6 March 1984, 3/ to set up a working group composed of five of its members to meet for one week prior to the forty-first 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-seventh session under council resolution 1503 (XLVIII) and those situations of which the Commission is seized.

DRAFT DECISION XVIII

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-sixth session

The Economic and Social Council, noting Commission on Human Rights decision 1984/115 of 16 March 1984, 3/ endorses the Commission's invitation to the Sub-Commission on Prevention of Discrimination and Protection of Minorities to be present, through its Chairman or another member it may designate, at the consideration of its report during the forty-first session of the Commission.

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 fortieth session. 39/

DRAFT DECISION XX

Right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

The Economic and Social Council fully endorses Commission on Human Rights resolution 1984/12 of 29 February 1984, 40/ by which the Commission, incer alia, reaffirmed that the continuing occupation of Kampuchea by foreign forces deprived the people of Kampuchea of the exercise of their right to self-determination and constituted the primary violation of human rights in Kampuchea at present. The Council reaffirms its decisions 1981/154 of 8 May 1981, 1982/143 of 7 May 1982 and 1983/155 of 27 May 1983 and reiterates its call for the withdrawal of all foreign forces from Kampuchea in order to allow the people of Kampuchea to exercise their fundamental freedoms and human rights, including the right to self-determination as contained in the Declaration on Kampuchea adopted by the International Conference on Kampuchea on 17 July 1981 41/ and in General Assembly resolutions 34/22 of 14 November 1979, 35/6 of 22 October 1980, 36/5 of 21 October 1981, 37/6 of 28 October 1982 and 38/3 of 27 October 1983.

The Council expresses its grave concern at the activities of the foreign forces in Kampuchea, particularly the continuing attacks on Kampuchean civilian encampments along the Thai-Kampuchean border, resulting in serious loss of life and property of Kampucheans and forcing even larger numbers of Kampuchean civilians to flee into Thailand.

The Council takes note with appreciation of the note by the Secretary-General, 42/ prepared pursuant to its decision 1983/155, requests him to report to the Council any further violations of humanitarian principles perpetrated against Kampuchean civilian refugees by the foreign occupying troops along the border, and also requests him to continue to monitor closely the developments in

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39/ Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14).

40/ See Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14), chap. II, sect. A.

41/ See Report of the International Conference on Kampuchea, New York, 13-17 July 1981 (United Nations publication, Sales No. E.81.I.20), annex I.

42/ E/1984/88.

Kampuchea and to intensify efforts, including the use of his good offices, to bring about a comprehensive political settlement of the Kampuchean problem and the restoration of fundamental human rights in Kampuchea.

The Council notes with appreciation the ongoing efforts of the Ad Hoc Committee of the International Conference on Kampuchea and requests that the Committee continue its work, pending the reconvening of the Conference.

DRAFT DECISION XXI

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

The Economic and Social Council takes note of the 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 43/ and decides to transmit it to the General Assembly at its thirty-ninth session.

DRAFT DECISION XXII

Note by the Secretary-General on allegations regarding infringements of trade union rights

The Economic and Social Council, having considered the note by the Secretary-General on allegations regarding infringements of trade union rights, 44/ decides that the matter referred to the Fact-Finding and Conciliation Commission on Freedom of Association of the International Labour Organisation through the Governing Body of the International Labour Office by its decision 1983/156 of 27 May 1983 should not be pursued.

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43/ A/39/168 and Add.1-E/1984/39 and Add.1.

44/ E/1984/32.