



Economic and Social Council

Distr.
GENERAL

E/1987/97
27 May 1987

ORIGINAL: ENGLISH

First regular session of 1987
Agenda item 17

HUMAN RIGHTS

Report of the Second (Social) Committee

The Second (Social) Committee considered the question of human rights (agenda item 17) at its 14th to 19th meetings, from 18 to 22 May 1987. 1/ It had before it the following documents:

(a) Letter dated 22 May 1987 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General (A/41/989-E/1987/104);

(b) Report of the Commission on Human Rights on its forty-third session (E/1987/18); 2/

(c) Note by the Secretary-General on national institutions for the protection and promotion of human rights (E/1987/58);

(d) Note by the Secretariat on allegations regarding infringements of trade union rights (E/1987/70).

ACTION TAKEN BY THE SECOND (SOCIAL) COMMITTEE

At its 14th to 18th meetings, the Committee held a general discussion on the item. At its 14th meeting, on 18 May, it heard an introductory statement by the Director of the Centre for Human Rights.

1/ At its 3rd plenary meeting, on 6 February 1987, the Council allocated the item to the Committee.

2/ Official Records of the Economic and Social Council, 1987, Supplement No. 5.

Also at the 14th meeting, statements were made by the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Community), the German Democratic Republic, the Union of Soviet Socialist Republics, Haiti and the United Kingdom of Great Britain and Northern Ireland, and the observer for Mexico. The observer for the International Confederation of Free Trade Unions, a non-governmental organization in consultative status, category I, with the Council, also made a statement.

At the 15th meeting, on 19 May, statements were made by the representatives of Australia, the United States of America, Canada, Rwanda, Senegal, Bulgaria, France, Norway, Spain and Brazil, and the observers for Ireland, Yugoslavia, Portugal and Lebanon.

At the 16th meeting, on 20 May, statements were made by the representatives of the German Democratic Republic, Denmark, India, the Philippines, Venezuela, China and Uruguay, and the observers for the Lao People's Democratic Republic, Democratic Kampuchea, Sweden, Cuba and Afghanistan.

At the 17th meeting, on 21 May, statements were made by the representatives of Poland, the Byelorussian Soviet Socialist Republic, Iraq, Morocco and the Islamic Republic of Iran, and the observers for Czechoslovakia, Costa Rica, Viet Nam, Austria, Algeria, the Ukrainian Soviet Socialist Republic, Indonesia, Greece, Uganda, Nicaragua and Cyprus.

At the 18th meeting, on 21 May, statements were made by the representatives of Pakistan and Panama.

Recommendations contained in the report of the Commission on Human Rights

Chapter I of the report of the Commission on Human Rights on its forty-third session contained three draft resolutions and 15 draft decisions recommended for adoption by the Council. The programme budget implications pertaining to the relevant resolutions and decisions were contained in annex III to the report.

Question of a convention on the rights of the child

At the 19th meeting, on 22 May, the representative of Poland proposed an amendment to draft resolution I, entitled "Question of a convention on the rights of the child", by which a new operative paragraph would be added to the end of the text, reading:

"3. Draws attention to the need for new proposals to be submitted early in the working group's session".

Statements were made by the representatives of Senegal, Morocco and Poland.

At the same meeting, the Committee adopted the draft resolution, as orally amended (see para. ___ below, draft resolution I).

Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

At its 19th meeting, on 22 May, the Committee adopted draft resolution II, entitled "Question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms" (see para. ___ below, draft resolution II).

Summary of arbitrary executions

At its 19th meeting, on 22 May, the Committee adopted draft resolution III, entitled "Summary of arbitrary executions" (see para. ___ below, draft resolution III).

Situation of human rights in Haiti

At its 19th meeting, on 22 May, the Committee adopted draft decision 1, entitled "Situation of human rights in Haiti" (see para. ___ below, draft decision I).

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

At its 19th meeting, on 22 May, the Committee adopted draft decision 2, 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" (see para. ___ below, draft decision II).

Situation of human rights in South Africa

At its 19th meeting, on 22 May, the Committee adopted draft decision 3, entitled "Situation of human rights in South Africa" (see para. ___ below, draft decision III).

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

At its 19th meeting, on 22 May, the Committee adopted draft decision 4, entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief" (see para. ___ below, draft decision IV).

The use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

At its 19th meeting, on 22 May, the Committee adopted draft decision 5, entitled "The use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination" by a recorded vote of 39 to 12, with 2 abstentions (see para. ___ below, draft decision V). The voting was as follows:

In favour: Bangladesh, Belize, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Djibouti, Egypt, Gabon, German Democratic Republic, Guinea, Haiti, India, Iraq, Jamaica, Morocco, Mozambique, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Turkey, Union of Soviet Socialist Republics, Uruguay, Venezuela, Zaire, Zimbabwe.

Against: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Italy, Japan, Norway, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Oman.

After the draft decision was adopted, statements were made by the representatives of Australia and Oman.

The right to development

At its 19th meeting, on 22 May, the Committee adopted draft decision 6, entitled "The right to development" (see para. ___ below, draft decision VI).

After the draft decision was adopted, the representative of the United States of America made a statement.

Torture and other cruel, inhuman or degrading treatment or punishment

At its 19th meeting, on 22 May, the Committee adopted draft decision 7, entitled "Torture and other cruel, inhuman or degrading treatment or punishment" (see para. ___ below, draft decision VII).

Voluntary fund for advisory services and technical assistance in the field of human rights

At its 19th meeting, on 22 May, the Committee adopted draft decision 8, entitled "Voluntary fund for advisory services and technical assistance in the field of human rights" (see para. ___ below, draft decision VIII).

Situation of human rights in El Salvador

At its 19th meeting, on 22 May, the Committee adopted draft decision 9, entitled "Situation of human rights in El Salvador" (see para. ___ below, draft decision IX).

Situation of human rights in Guatemala

At its 19th meeting, on 22 May, the Committee adopted draft decision 10, entitled "Situation of human rights in Guatemala" (see para. ___ below, draft decision X).

Human rights situation in the Islamic Republic of Iran

At its 19th meeting, on 22 May, the Committee adopted draft decision 11, entitled "Human rights situation in the Islamic Republic of Iran", by a recorded vote of 23 to 6, with 15 abstentions 3/ (see para. ___ below, draft decision XI). The voting was as follows:

In favour: Australia, Belgium, Belize, Canada, Colombia, Denmark, France, Germany, Federal Republic of, Haiti, Iceland, Iraq, Italy, Jamaica, Japan, Norway, Panama, Peru, Philippines, Rwanda, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Iran, Islamic Republic of, Oman, Pakistan, Romania, Sri Lanka, Syrian Arab Republic.

Abstaining: Bangladesh, Brazil, Bulgaria, Djibouti, Egypt, Gabon, India, Morocco, Mozambique, Nigeria, Senegal, Sierra Leone, Sudan, Turkey, Zaire.

Question of human rights and fundamental freedoms in Afghanistan

At its 19th meeting, on 22 May, the Committee considered draft decision 12, entitled "Question of human rights and fundamental freedoms in Afghanistan".

The Chairman informed the Committee that, during informal consultations, it had been agreed to amend the draft decision by inserting the words "and the invitation extended to the Special Rapporteur to visit Afghanistan" before the words "approves the decision of the Commission".

3/ The delegation of Somalia subsequently indicated that it had intended to vote against the draft decision.

At the same meeting, the Committee adopted the draft decision, as amended (see para. ___ below, draft decision XII).

Before the draft decision was adopted, the representative of Belgium made a statement.

Question of human rights in Chile

At its 19th meeting, on 22 May, the Committee adopted draft decision 13, entitled "Question of human rights in Chile" (see para. ___ below, draft decision XIII).

Report of the Commission on Human Rights

At its 19th meeting, on 22 May, the Committee adopted draft decision 14, entitled "Report of the Commission on Human Rights" (see para. ___ below, draft decision XIV).

Organization of the work of the Commission

At its 19th meeting, on 22 May, the Committee adopted draft decision 15, entitled "Organization of the work of the Commission" (see para. ___ below, draft decision XV).

Other proposals

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

At the 16th meeting, on 20 May, the representative of the Philippines, on behalf of Bangladesh, Belgium, Belize, Brunei Darussalam, 4/ Cameroon, 4/ Canada, Costa Rica, 4/ Denmark, Fiji, 4/ the Gambia, 4/ Germany, Federal Republic of, Haiti, Honduras, 4/ Iceland, Italy, Japan, Liberia, 4/ Luxembourg, 4/ Malaysia, 4/ Nepal, 4/ the Netherlands, 4/ New Zealand, 4/ Norway, Oman, Pakistan, Papua New Guinea, 4/ the Philippines, Saint Lucia, 4/ Samoa, 4/ Senegal, Sierra Leone, Singapore, 4/ Somalia, Spain, Thailand, 4/ Togo, 4/ Turkey, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Zaire, introduced a draft decision (E/1987/C.2/L.12) entitled "Right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation". Subsequently, the Sudan joined in sponsoring the draft decision.

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

At the 19th meeting, on 22 May, at the request of the representative of the Union of Soviet Socialist Republics, the Committee voted on the draft decision.

The Committee then adopted the draft decision by a recorded vote of 41 to 7, with 2 abstentions (see para. ___ below, draft decision XVI). The voting was as follows:

In favour: Australia, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Denmark, Djibouti, Egypt, France, Gabon, Germany, Federal Republic of, Guinea, Haiti, Iceland, Italy, Jamaica, Japan, Morocco, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Rwanda, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zaire.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, German Democratic Republic, India, Poland, Syrian Arab Republic, Union of Soviet Socialist Republics.

Abstaining: Bolivia, Iraq.

Use of mercenaries as a means to violate human rights
and to impede the exercise of the right of peoples to
self-determination

At the 18th meeting, on 21 May, the representative of Nigeria, on behalf of Afghanistan, 4/ Algeria, 4/ Benin, 4/ Botswana, 4/ Bulgaria, the Congo, 4/ Cuba, 4/ Ethiopia, 4/ German Democratic Republic, Ghana, 4/ India, Lesotho, 4/ Mongolia, 4/ Mozambique, Nicaragua, 4/ Nigeria, Rwanda, Sierra Leone, Suriname, 4/ Syrian Arab Republic, Uganda, 4/ Ukrainian Soviet Socialist Republic, 4/ United Republic of Tanzania, 4/ Viet Nam, 4/ Zambia 4/ and Zimbabwe, introduced a draft resolution (E/1987/C.2/L.13) entitled "Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination". In introducing the draft resolution the representative of Nigeria orally revised it by adding a thirteenth preambular paragraph reading:

"Recalling its resolution 1986/43 of 23 May 1986".

Statements were made by the representatives of France and Nigeria.

At the 19th meeting, on 22 May, the representative of Nigeria, on behalf of the sponsors, orally revised the draft resolution as follows:

(a) The words "and that their legitimate struggle can in no way be considered as, or equated to, mercenary activity" were added at the end of the second preambular paragraph;

(b) Operative paragraph 5, which had read:

"5. Also urges the Commission on Human Rights to implement its decision to appoint a Special Rapporteur";

was changed to read:

"5. Endorses the decision of the Commission on Human Rights to appoint a Special Rapporteur".

At the same meeting, the Committee adopted the draft resolution, as orally revised, by a recorded vote of 38 to 11, with 3 abstentions 5/ (see para. ___ below, draft resolution IV). The voting was as follows:

In favour: Bangladesh, Belize, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Djibouti, Gabon, German Democratic Republic, Guinea, Haiti, India, Iraq, Jamaica, Morocco, Mozambique, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Turkey, Union of Soviet Socialist Republics, Uruguay, Venezuela, Zaire, Zimbabwe.

Against: Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Italy, Japan, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Norway, Oman.

After the draft resolution was adopted, statements were made by the representatives of Denmark (on behalf of the Nordic countries) and Australia.

Realization of the right to adequate housing

At the 18th meeting, on 21 May, the observer for Mongolia, on behalf of Afghanistan, 4/ Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, 4/ Czechoslovakia, 4/ the German Democratic Republic, Hungary, 4/ Lao People's Democratic Republic, 4/ Madagascar, 4/ Mongolia, 4/ Nicaragua, 4/ Nigeria, Panama, Poland, Sri Lanka, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, 4/ the Union of Soviet Socialist Republics, the United Republic of Tanzania 4/ and Viet Nam, 4/ introduced a draft resolution (E/1987/C.2/L.14) entitled "Realization of the right to adequate housing". Subsequently, Ethiopia 4/ joined in sponsoring the draft resolution.

At the 19th meeting, on 22 May, the representative of Australia, on the basis of informal consultations, orally amended the draft resolution as follows:

5/ The delegation of Egypt subsequently indicated that it had intended to vote in favour of the draft resolution.

(a) In operative paragraph 4, the words "realization of the inalienable right of their population to adequate housing" were replaced by the words "realization of the right to adequate housing";

(b) Operative paragraph 5, which had read:

"5. Requests the Commission on Human Rights to consider at its forty-fourth session the question of the realization of the right to adequate housing and to initiate an action programme with a view to contributing to the realization of that right in all countries";

was replaced by the following text:

"5. Decides to appraise, at its first regular session of 1988, the results of efforts to realize the right to adequate housing during the International Year of Shelter for the Homeless";

(c) Operative paragraph 7 was deleted.

Also at the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland proposed that the word "Universal" be inserted before the words "Declaration of Human Rights" in the fifth preambular paragraph.

A statement was made by the observer for Mongolia.

At the same meeting, the Committee adopted the draft resolution, as amended, by a recorded vote of 49 to none, with 1 abstention (see para. ___ below, draft resolution V). The voting was as follows:

In favour: Australia, Bangladesh, Belgium, Belize, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, China, Colombia, Denmark, Djibouti, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Guinea, Haiti, Iceland, India, Iraq, Italy, Jamaica, Japan, Mozambique, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Zaire, Zimbabwe.

Against: None.

Abstaining: United States of America.

National institutions for the protection and promotion
of human rights

At the 18th meeting, on 21 May, the representative of Australia, on behalf of Australia, Canada, Finland, 4/ India, Iraq, the Philippines, Senegal and Sri Lanka, introduced a draft decision (E/1987/C.2/L.15) entitled "National institutions for

the protection and promotion of human rights". Subsequently, Costa Rica and Nigeria joined in sponsoring the draft decision.

At the 19th meeting, on 22 May, the Committee adopted the draft decision (see para. ___ below, draft decision XVII).

Infringements of trade union rights in South Africa

At the 18th meeting, on 21 May, the representative of Guinea, on behalf of the States Members of the United Nations which belong to the African Group, introduced a draft resolution (E/1987/C.2/L.16) entitled "Infringements of trade union rights in South Africa", and orally revised it by replacing the words "Calls once again for" by the words "Requests once again" in operative paragraph 4.

At the 19th meeting, on 22 May, the Committee adopted the draft resolution, as revised (see para. ___ below, draft resolution VI).

RECOMMENDATIONS OF THE SECOND (SOCIAL) COMMITTEE

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

DRAFT RESOLUTION I

Question of a convention on the rights of the child

The Economic and Social Council,

Recalling General Assembly resolution 41/116 of 4 December 1986, by which the Assembly requested the Commission on Human Rights to give the highest priority to, and to make every effort at its forty-third session to complete, the draft convention and to submit it, through the Economic and Social Council, to the General Assembly at its forty-second session,

Considering that it was not found possible to complete the work on the draft convention during the forty-third session of the Commission on Human Rights,

Taking note of Commission on Human Rights resolution 1987/48 of 11 March 1987,

1. Authorizes a meeting of an open-ended working group for a period of one week prior to the forty-fourth session of the Commission on Human Rights with a view to completing the work on the draft convention on the rights of the child at that session;

2. Requests the Secretary-General to extend all facilities to the working group for its meeting prior to and during the forty-fourth session of the Commission to enable it to fulfil its task successfully, and notes the usefulness of providing the working group, in advance of its session, with such working documents as a compilation of all amendments and new proposals and relevant provisions of other international instruments;

3. Draws attention to the need for new proposals to be submitted early in the working group's session.

[For the text of draft resolutions II and III, see the report of the Commission on Human Rights (E/1987/18), chap. I, sect. A.]

DRAFT RESOLUTION IV

Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination

The Economic and Social Council,

Bearing in mind the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as well as scrupulous respect for the principle of the non-use or threat of the use of force in international relations, enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 6/

Reaffirming the legitimacy of the struggle of peoples and their liberation movements for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid, and foreign intervention and occupation and that their legitimate struggle can in no way be considered as, or equated to, mercenary activity,

Deeply concerned about the increasing menace that the activities of mercenaries represent for all States, particularly African, Central American and other developing States,

Recognizing that mercenarism is a threat to international peace and security,

Recognizing also that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the

6/ General Assembly resolution 2625 (XXV), annex.

internal affairs of States, territorial integrity and independence, and seriously impede the process of self-determination of peoples struggling against colonialism, racism and apartheid and all forms of foreign domination,

Recalling all relevant General Assembly resolutions, particularly resolution 41/102 of 4 December 1986, in which the General Assembly denounced the practice of using mercenaries, in particular against developing countries and national liberation movements,

Recalling also Security Council resolutions 239 (1967) of 10 July 1967, 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the Council, inter alia, condemned any State that persisted in permitting or tolerating the recruitment of mercenaries, and the provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations,

Welcoming the adoption by the Commission on Human Rights of resolution 1986/26 of 10 March 1986, in which the Commission condemned the increased recruitment, financing, training, assembly, transit and use of mercenaries, and of resolution 1987/16 of 9 March 1987, in which it decided to appoint a Special Rapporteur to examine the question,

Reaffirming the decision of the General Assembly, in its resolution 32/130 of 16 December 1977, to accord priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by situations such as those resulting, inter alia, from aggression and threats against national sovereignty, national unity and territorial integrity,

Recalling the relevant resolutions of the Organization of African Unity and the Convention adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its fourteenth ordinary session, held at Libreville from 2 to 5 July 1977, 7/ condemning and outlawing mercenarism and its adverse effects on the independence and territorial integrity of African States,

Deeply concerned at the loss of life, substantial damage to property and long-term negative effects on the economy of southern African countries, particularly the front-line States resulting from mercenary aggressions,

Strongly condemning the racist régime of South Africa for its increasing use of groups of armed mercenaries against national liberation movements and for the destabilization of the Governments of southern African States,

Recalling its resolution 1986/43 of 23 May 1986,

7/ See A/32/310, annex II.

1. Condemns the increased recruitment, financing, training, assembly, transit and use of mercenaries, as well as all other forms of support to mercenaries for the purpose of destabilizing and overthrowing the Governments of southern Africa, Central America and of other developing States and fighting against the national liberation movements of peoples struggling for the exercise of their right to self-determination;
2. Denounces any State that persists in the recruitment, or permits or tolerates the recruitment, of mercenaries and provides facilities to them for launching armed aggression against other States;
3. Calls upon all States to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure, by both administrative and legislative measures, that the territory of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries, or the planning of such activities designed to destabilize or overthrow the Government of any State and to fight the national liberation movements struggling against racism, apartheid, colonial domination, foreign intervention and occupation for their independence, territorial integrity and national unity;
4. Urges all States to take the necessary measures under their respective domestic laws to prohibit the recruitment, financing, training and transit of mercenaries on their territory and other territories under their control;
5. Endorses the decision of the Commission on Human Rights to appoint a Special Rapporteur;
6. Calls upon the General Assembly to pay due attention to the matter at its forty-second session under the appropriate item of its agenda.

DRAFT RESOLUTION V

Realization of the right to adequate housing

The Economic and Social Council,

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

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

Recognizing that the Universal Declaration of Human Rights 8/ and the International Covenant on Economic, Social and Cultural Rights 9/ provide that all persons have the right to an adequate standard of living for themselves and their families, including adequate housing, and that States should take appropriate steps to ensure the realization of this right,

Recognizing that the provision of housing for the homeless is an integral part of national economic and social development and represents an important step towards the realization of the right to development,

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

Recalling its resolution 1986/41 of 23 May 1986 on the realization of the right to adequate housing,

Taking into account General Assembly resolution 41/146 of 4 December 1986, in which the Assembly requested the Economic and Social Council to give special attention during the International Year of Shelter for the Homeless to the question of the realization of the right to adequate housing,

Also taking into account Commission on Human Rights resolution 1987/22 of 10 March 1987, 10/

1. Expresses its deep concern that millions of people do not enjoy the right to adequate housing;
2. Reiterates the need to take appropriate measures, at the national and international levels, to promote the right of all persons to an adequate standard of living for themselves and their families, including adequate housing;
3. Calls upon all States and international organizations concerned to pay special attention to the realization of the right to adequate housing in carrying out measures for the observance of the International Year of Shelter for the Homeless, inter alia, by developing shelter strategies and settlement improvement programmes;

8/ General Assembly resolution 217 A (III).

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

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

4. Invites all States, in their reports on the implementation of the goals and objectives of the International Year of Shelter for the Homeless to devote a special section to the national measures and actions they have taken to promote the realization of the right to adequate housing;

5. Decides to appraise, at its first regular session of 1988, the results of efforts to realize the right to adequate housing during the International Year of Shelter for the Homeless;

6. Invites the General Assembly to pay due attention to the question at its forty-second session.

DRAFT RESOLUTION VI

Infringements of trade union rights in South Africa

The Economic and Social Council,

Recalling its resolution 1985/43 of 30 May 1985,

Having examined the extract from the report of the Ad Hoc Working Group of Experts on southern Africa, 11/

Noting with indignation that dehumanizing conditions continue to be imposed on black workers by the Government of South Africa and that police intervention in industrial disputes has become a regular feature,

Aware of the importance of the role of the independent black trade union movement in the struggle against apartheid,

Gravely concerned at the intensification of the repression against the independent black trade union movement since the proclamation of the state of emergency by the Government of South Africa,

1. Takes note of the extract from the report of the Ad Hoc Working Group of Experts on southern Africa;

2. Condemns the repression by the Government of South Africa against the independent black trade union movement;

3. Demands once again the cessation of persecution of trade unionists and repression of the independent black trade union movement;

4. Requests once again 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;

11/ E/1987/70, annex.

5. Demands the immediate release of all trade unionists imprisoned for exercising their legitimate trade union rights;
6. 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;
7. 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;
8. Decides to consider at its first regular session of 1988 the question of allegations regarding infringements of trade union rights in South Africa as a sub-item of the item entitled "Human rights questions".

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

[For the texts of draft decisions I-XI, see the report of the Commission on Human Rights (E/1987/18), chap. I, sect. B, draft decisions 1-11.]

DRAFT DECISION XII

Question of human rights and fundamental freedoms in Afghanistan

The Economic and Social Council, noting Commission on Human Rights resolution 1987/58 of 11 March 1987 and the invitation extended to the Special Rapporteur to visit Afghanistan, approves the decision of the Commission to extend for a year the mandate of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan. The Council further approves the Commission's request to the Secretary-General to give all necessary assistance to the Special Rapporteur.

[For the texts of draft decisions XIII-XV, see the report of the Commission on Human Rights E/1987/18 and Corrigendum), chap. I, sect. B, draft decisions 13-15.]

DRAFT DECISION XVI

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 1987/6 of 19 February 1987, 12/ by which the Commission, inter 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, 1983/155 of 27 May 1983, 1984/148 of 24 May 1984, 1985/155 of 30 May 1985 and 1986/146 of 23 May 1986 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 13/ 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, 38/3 of 27 October 1983, 39/5 of 30 October 1984, 40/7 of 5 November 1985 and 41/6 of 21 October 1986.

The Council expresses its grave concern at the unresolved dilemma of the approximately 250,000 Kampuchean civilians still stranded in Thailand as a result of the armed attacks by the foreign forces in Kampuchea on the Kampuchean civilian encampments along the Thai-Kampuchean border since 1984. In this connection, the Council recalls the statements made by the Secretary-General on 27 December 1984 and 13 March 1985 which, inter alia, appealed to all concerned to avoid endangering the lives of these Kampuchean civilians and adding to the misery and deprivation which already afflicts these most unfortunate people.

The Council also expresses its grave concern at the continued inhuman acts perpetrated by the foreign occupying force in Kampuchea against Kampuchean nationals in their motherland, as well as against the lives of innocent Kampuchean displaced persons, in particular the deliberate artillery shellings of Khmer civilian camps along the border such as those committed against Site 2 camp, housing 153,000 Khmer civilians, on 26 January 1987.

12/ Official Records of the Economic and Social Council, 1987, Supplement No. 5 (E/1987/18, chap. II, sect. A.

13/ 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.

The Council requests the Secretary-General 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 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 recalls the communiqués issued by the Ad Hoc Committee of the International Conference on Kampuchea on 17 January 1985 and 15 February 1985. The Council notes the visits undertaken by the Chairman and members of the Committee to a number of countries in 1986 in an effort to find a comprehensive political solution to the Kampuchean problem. The Council also notes with appreciation the ongoing efforts of the Committee and requests that the Committee continue its work, pending the reconvening of the Conference.

DRAFT DECISION XVII

National institutions for the protection and promotion of
human rights

The Economic and Social Council, noting Commission on Human Rights resolution 1987/40 of 10 March 1987, decides in accordance with paragraph 4 of that resolution and General Assembly resolutions 39/144 of 14 December 1984 and 41/129 of 4 December 1986, to transmit to the General Assembly at its forty-second session the consolidated report on national institutions for the protection and promotion of human rights for consideration with a view to its early dissemination as a handbook of the United Nations.
