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Agenda item 10

HUMAN RIGHTS

Report of the Second (Social) Committee

(Part II)

1. The Second (Social) Committee considered the question of human rights (agenda item 10) at its 6th and 12th, 13th, 15th to 21st and 22nd meetings, on 11, 17 to 20, 23 and 24 May 1988. 1/ It had before it the following documents:

(a) Report of the Commission on Human Rights on its forty-fourth session (E/1988/12 and Corr.1); 2/

(b) Report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (E/1988/24);

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

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

1/ At its 4th plenary meeting, on 5 February 1988, the Council allocated the item to the Committee.

2/ Official Records of the Economic and Social Council, 1988, Supplement No. 2.

(e) Report of the Ad Hoc Working Group of Experts of the Commission on Human Rights (E/1988/27);

(f) Note by the Secretary-General on methods applied under different human rights instruments as regards their financial implications (E/1988/65).

Action taken by the Second (Social) Committee

2. At its 6th and 12th, 13th and 15th to 19th meetings, the Committee held a general discussion on the item. At its 6th meeting, on 11 May, it heard an introductory statement by the Under-Secretary-General of the Centre for Human Rights.
3. At the 12th meeting, on 17 May, statements were made by the representatives of the Federal Republic of Germany (on behalf of the States Members of the United Nations that are members of the European Economic Community), France, Norway and the German Democratic Republic and the observers for Mexico and Sweden.
4. At the 13th meeting, on 17 May, the representative of Ireland made a statement.
5. At the 15th meeting, on 18 May, statements were made by the representatives of Norway, Japan, Iraq and Egypt and the observer for Afghanistan. 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.
6. At the 16th meeting, on 19 May, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, the German Democratic Republic, China and Colombia and the observers for Viet Nam, Finland and El Salvador.
7. At the 17th meeting, on 19 May, statements were made by the representatives of Canada, the United States of America, the Philippines, Poland, Venezuela, the Union of Soviet Socialist Republics, Portugal and Peru and the observers for Democratic Kampuchea, Czechoslovakia, the Lao People's Democratic Republic and Mongolia.
8. At the 18th meeting, on 20 May, statements were made by the representatives of the Byelorussian Soviet Socialist Republic, India, Panama, the United States of America, Yugoslavia and the Union of Soviet Socialist Republics and the observers for Costa Rica, Lebanon, Chile, Nicaragua, Cyprus and Austria.
9. At the 19th meeting, on 20 May, statements were made by the representatives of Sri Lanka, the Libyan Arab Jamahiriya, Cuba, Bulgaria, the Sudan and Greece and the observers for the Ukrainian Soviet Socialist Republic and Uganda.

Recommendations contained in the report of the  
Commission on Human Rights

10. Chapter I of the report of the Commission on Human Rights on its forty-fourth session (E/1988/12 and Corr.1) contained nine draft resolutions and 19 draft decisions recommended for adoption by the Council. The administrative and programme budget implications pertaining to the relevant resolutions and decisions were contained in annex III to the report.

Measures to combat racism and racial discrimination and the role of the  
Sub-Commission on Prevention of Discrimination and Protection of Minorities

11. At its 20th meeting, on 23 May, the Committee adopted draft resolution I, entitled "Measures to combat racism and racial discrimination and the role of the Sub-Commission on Prevention of Discrimination and Protection of Minorities" (see para. 63 below, draft resolution I).

The right to food

12. At its 20th meeting, on 23 May, the Committee adopted draft resolution II, entitled "The right to food" (see para. 63 below, draft resolution II).

Report of the Working Group on Slavery of the Sub-Commission on Prevention of  
Discrimination and Protection of Minorities

13. At its 20th meeting, on 23 May, the Committee adopted draft resolution III, entitled "Report of the Working Group on Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities" (see para. 63 below, draft resolution III).

Study of the problem of discrimination against indigenous populations

14. At its 20th meeting, on 23 May, the Committee adopted draft resolution IV, entitled "Study of the problem of discrimination against indigenous populations" (see para. 63 below, draft resolution IV).

Draft declaration of principles on the rights of indigenous populations

15. At its 20th meeting, on 23 May, the Committee adopted draft resolution V, entitled "Draft declaration of principles on the rights of indigenous populations" (see para. 63 below, draft resolution V).

Proposal to proclaim an international year of the world's indigenous populations

16. At its 20th meeting, on 23 May, the Committee adopted draft resolution VI, entitled "Proposal to proclaim an international year of the world's indigenous populations" (see para. 63 below, draft resolution VI).

Summary of arbitrary executions

17. At its 20th meeting, on 23 May, the Committee adopted draft resolution VII, entitled "Summary of arbitrary executions" (see para. 63 below, draft resolution VII).

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

18. At its 20th meeting, on 23 May, the Committee adopted draft resolution VIII, 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. 63 below, draft resolution VIII).

Question of a convention on the rights of the child

19. At its 20th meeting, on 23 May, the Committee adopted draft resolution IX, entitled "Question of a convention on the rights of the child" (see para. 63 below, draft resolution IX).

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

20. At its 20th meeting, on 23 May, the Committee adopted draft decision 1, 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 38 to 13, with 2 abstentions (see para. 64 below, draft decision I). The voting was as follows:

In favour: Belize, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cuba, Egypt, Gabon, German Democratic Republic, Ghana, Guinea, India, Iran (Islamic Republic of), Iraq, Jamaica, Lesotho, Liberia, Libyan Arab Jamahiriya, Mozambique, Pakistan, Panama, Peru, Philippines, Poland, Rwanda, Saudi Arabia, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Trinidad and Tobago, Union of Soviet Socialist Republics, Uruguay, Venezuela, Yugoslavia, Zaire.

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

Abstaining: Australia, Oman.

21. After the draft decision was adopted, the representative of Oman made a statement.

### Situation of human rights in Albania

22. At its 20th meeting, on 23 May, the Committee adopted draft decision 2, entitled "Situation of human rights in Albania" by a recorded vote of 13 to 10, with 25 abstentions (see para. 64 below, draft decision II). The voting was as follows:

In favour: Australia, Belgium, Canada, Denmark, Ireland, Iran (Islamic Republic of), 3/ Lesotho, Norway, Philippines, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, China, Cuba, German Democratic Republic, Libyan Arab Jamahiriya, Pakistan, Poland, Union of Soviet Socialist Republics, Yugoslavia.

Abstaining: Belize, Colombia, Egypt, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guinea, India, Iraq, Italy, Jamaica, Japan, Liberia, Oman, Panama, Rwanda, Saudi Arabia, Sierra Leone, Somalia, Sri Lanka, Sudan, Uruguay, Zaire.

23. After the draft decision was adopted, the representative of Canada made a statement.

### General decision concerning the establishment of a working group of the Commission on Human Rights to examine the situations referred to the Commission under Economic and Social Council resolution 1503 (XLVIII) and those situations of which the Commission is seized

24. At its 20th meeting, on 23 May, the Committee adopted draft decision 3, entitled "General decision concerning the establishment of a working group of the Commission on Human Rights to examine the situations referred to the Commission under Economic and Social Council resolution 1503 (XLVIII) and those situations of which the Commission is seized" (see para. 64 below, draft decision III).

### The right to development

25. At its 20th meeting, on 23 May, the Committee adopted draft decision 4, entitled "The right to development" (see para. 64 below, draft decision IV).

26. After the draft decision was adopted, the representative of Japan made a statement.

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3/ The delegation of the Islamic Republic of Iran subsequently stated that its vote on the draft decision should have been recorded as being against and not in favour.

Extension of the mandates of special rapporteurs on thematic issues in the field of human rights

27. At its 20th meeting, on 23 May, the Committee adopted draft decision 5, entitled "Extension of the mandates of special rapporteurs on thematic issues in the field of human rights" (see para. 64 below, draft decision V).

Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur

28. At its 20th meeting, on 23 May, the Committee adopted draft decision 6, entitled "Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur" (see para. 64 below, draft decision VI).

Assistance to Guatemala in the field of human rights

29. At its 20th meeting, on 23 May, the Committee adopted draft decision 8, entitled "Assistance to Guatemala in the field of human rights" (see para. 64 below, draft decision VII).

Assistance to Haiti in the field of human rights

30. At its 20th meeting, on 23 May, the Committee adopted draft decision 9, entitled "Assistance to Haiti in the field of human rights" (see para. 64 below, draft decision VIII).

Situation in Equatorial Guinea

31. At its 20th meeting, on 23 May, the Committee adopted draft decision 10, entitled "Situation in Equatorial Guinea" (see para. 64 below, draft decision IX).

Study on the significance of treaties, agreements and other constructive arrangements for the promotion and protection of the human rights and fundamental freedoms of indigenous populations

32. At its 20th meeting, on 23 May, the Committee adopted draft decision 11, entitled "Study on the significance of treaties, agreements and other constructive arrangements for the promotion and protection of the human rights and fundamental freedoms of indigenous populations" (see para. 64 below, draft decision X).

Situation of human rights in El Salvador

33. At its 20th meeting, on 23 May, the Committee adopted draft decision 12, entitled "Situation of human rights in El Salvador" (see para. 64 below, draft decision XI).

Question of human rights and fundamental freedoms in Afghanistan

34. At its 20th meeting, on 23 May, the Committee adopted draft decision 13, entitled "Question of human rights and fundamental freedoms in Afghanistan" (see para. 64 below, draft decision XII).

Human rights situation in the Islamic Republic of Iran

35. At its 20th meeting, on 23 May, the Committee adopted draft decision 14, entitled "Human rights situation in the Islamic Republic of Iran", by a roll-call vote of 24 to 7, with 14 abstentions (see para. 64 below, draft decision XIII). The voting was as follows:

- In favour: Australia, Belgium, Belize, Canada, Colombia, Denmark, France, Germany, Federal Republic of, Greece, Iraq, Ireland, Italy, Jamaica, Japan, Lesotho, Norway, Panama, Peru, Philippines, Portugal, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.
- Against: Cuba, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Oman, Pakistan, Sri Lanka, Syrian Arab Republic.
- Abstaining: China, Egypt, Gabon, German Democratic Republic, Ghana, Guinea, India, Liberia, Saudi Arabia, Sierra Leone, Somalia, 4/ Sudan, Yugoslavia, Zaire.

36. After the draft decision was adopted, the representatives of the Islamic Republic of Iran, Belgium and Iraq made statements.

37. Statements were also made by the Chairman and by the Secretary of the Committee.

Prevention of the disappearance of children

38. At its 20th meeting, on 23 May, the Committee adopted draft decision 15, entitled "Prevention of the disappearance of children" (see para. 64 below, draft decision XIV).

Appointment of a delegation in accordance with Commission on Human Rights decision 1988/106

39. At its 20th meeting, on 23 May, the Committee adopted draft decision 16, entitled "Appointment of a delegation in accordance with Commission on Human Rights decision 1988/106" (see para. 64 below, draft decision XV).

Question of human rights in Chile

40. At its 20th meeting, on 23 May, the Committee adopted draft decision 17, entitled "Question of human rights in Chile" (see para. 64 below, draft decision XVI).

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4/ The delegation of Somalia subsequently stated that its vote on the draft decision should have been recorded as being against and not as an abstention.

41. After the draft decision was adopted, the representative of Canada made a statement.

Organization of the work of the forty-fifth session of the Commission on Human Rights

42. At its 20th meeting, on 23 May, the Committee adopted draft decision 18, entitled "Organization of the work of the forty-fifth session of the Commission on Human Rights" (see para. 64 below, draft decision XVII).

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

43. At its 20th meeting, on 23 May, the Committee adopted draft decision 19, entitled "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief" (see para. 64 below, draft decision XVIII).

Other proposals

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

44. At the 17th meeting, on 19 May, the representative of the Philippines, on behalf of Bangladesh, 5/ Belgium, Belize, Brunei Darussalam, 5/ Cameroon, 5/ Canada, Colombia, Costa Rica, 5/ Denmark, Fiji, 5/ Gambia, 5/ Germany, Federal Republic of, Greece, Haiti, 5/ Honduras, 5/ Iceland, 5/ Italy, Japan, Liberia, Luxembourg, 5/ Malaysia, 5/ Morocco, 5/ Nepal, 5/ the Netherlands, 5/ Norway, Oman, Pakistan, Papua New Guinea, 5/ the Philippines, Rwanda, Saint Lucia, 5/ Samoa, 5/ Senegal, 5/ Sierra Leone, Singapore, 5/ Somalia, Spain, 5/ the Sudan, Thailand, 5/ Togo, 5/ Turkey, 5/ the United Kingdom of Great Britain and Northern Ireland, Uruguay and Zaire, introduced a draft decision (E/1988/C.2/L.6) entitled "Right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

45. At the 21st meeting, on 23 May, following a statement by the representative of the Union of Soviet Socialist Republics, the Committee adopted the draft decision by a non-recorded vote of 37 to 8 6/ (see para. 64 below, draft decision XIX).

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

6/ The delegations of Saudi Arabia and Liberia subsequently indicated that, had they been present during the voting, they would have voted in favour of the draft decision. The delegation of the Syrian Arab Republic indicated that, had it been present during the voting, it would have voted against the draft decision.



### Infringements of trade union rights in South Africa

46. At the 20th meeting, on 23 May, the representative of the Sudan, on behalf of the African Group, introduced a draft resolution (E/1988/C.2/L.11) entitled "Infringements of trade union rights in South Africa."

47. At the 21st meeting, on 23 May, the Committee adopted the draft resolution (see para. 63 below, draft resolution X).

### Effective implementation of international instruments on human rights

48. At the 20th meeting, on 23 May, the representative of Canada, on behalf of Canada, Denmark and the Netherlands, 5/ introduced a draft resolution (E/1988/C.2/L.13) entitled "Effective implementation of United Nations instruments on human rights". Subsequently, Argentina 5/ and Norway joined in sponsoring the draft resolution.

49. At the 21st meeting, on 23 May, a statement was made by the representative of Canada.

50. At the 22nd meeting, on 24 May, the representative of Canada read out revisions to the draft resolution which had been agreed on during informal consultations.

51. At the same meeting, following statements by the representatives of Egypt, Australia and Belgium, the Committee adopted the draft resolution, as orally revised (see para. 63 below, draft resolution XI).

52. After the adoption of the draft resolution, the representative of Egypt made a statement.

### Realization of the right to adequate housing

53. At the 20th meeting, on 23 May, the observer for Mongolia, on behalf of Afghanistan, 5/ Bulgaria, Cuba, Czechoslovakia, 5/ Ethiopia, 5/ the German Democratic Republic, Kenya, 5/ the Lao People's Democratic Republic, 5/ the Libyan Arab Jamahiriya, Madagascar, 5/ Mongolia, 5/ Nicaragua, 5/ Panama, Sri Lanka, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, 5/ the Union of Soviet Socialist Republics and Viet Nam, 5/ introduced a draft resolution (E/1988/C.2/L.14) entitled "Realization of the right to adequate housing". Subsequently, Uganda joined in sponsoring the draft resolution.

54. At the same meeting, the representative of Ireland proposed an amendment to the draft resolution, which called for a new preambular paragraph as follows:

"Taking into account General Assembly resolution 42/146, in which the Assembly requested the Economic and Social Council and its appropriate functional commissions to keep the question of the right to adequate housing under periodic review,"

55. Statements were made by the observer for Mongolia and the representative of Australia.

56. At the 21st meeting, on 23 May, statements were made by the representatives of Ireland, the Federal Republic of Germany, Belgium, Somalia and Bulgaria and the observers for Mongolia and Kenya.

57. At the same meeting, the representative of Somalia proposed, on the basis of informal consultations, that the draft resolution be amended by inserting the words "the provisions of General Assembly resolution 42/146 and" after the word "Reiterates" in operative paragraph 2.

58. Statements were made by the observer for Mongolia and the representative of Ireland.

59. At the 22nd meeting, on 24 May, the Secretary of the Committee read out revisions to the draft resolution which had been agreed on during informal consultations.

60. At the same meeting, following a statement by the observer for Mongolia, the Committee adopted the draft resolution, as orally revised (see para. 63 below, draft resolution XII).

#### Report of the Commission on Human Rights on its forty-fourth session

61. At its 20th meeting, on 23 May, on the proposal of the Chairman, the Committee decided to recommend the Economic and Social Council to take note of the report of the Commission on Human Rights on its forty-fourth session (E/1988/12 and Corr.1) (see para. 64 below, draft decision XX).

#### Reports considered by the Economic and Social Council in connection with the question of human rights

62. At the 22nd meeting, on 24 May, on the proposal of the Chairman, the Committee decided to recommend the Economic and Social Council to take note of the following documents:

(a) Report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (E/1988/24);

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

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

(d) Note by the Secretary-General on methods applied under different human rights instruments as regards their financial implications (E/1988/85); (see para. 64 below, draft decision XXI).

RECOMMENDATIONS OF THE SECOND (SOCIAL) COMMITTEE

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

[For the texts of draft resolutions I-IX, see the report of the Commission on Human Rights (E/1988/12), chap. I, sect. A.]

DRAFT RESOLUTION X

Infringements of trade union rights in South Africa

The Economic and Social Council,

Recalling its resolution 1987/63 of 29 May 1987,

Having examined the extract from the report of the Ad Hoc Working Group of Experts on southern Africa of the Commission on Human Rights, 7/

Noting with indignation that dehumanizing conditions imposed on black workers by the Government of South Africa and police intervention in industrial disputes, including mass arrests, banning and even killing of trade unionists, continue,

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

Gravely concerned at the recent escalation of the repression against the independent black trade union movement, in particular the severe restrictions placed on the Congress of South African Trade Unions, and efforts to impose further restrictions on trade unions through legislative changes,

1. Takes note of the extract from the report of the Ad Hoc Working Group of Experts on southern Africa;
2. Condemns the increased repression of the independent black trade union movement by the Government of South Africa;
3. Demands once again that the persecution of trade unionists and repression of the independent black trade union movement cease;

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;
5. Demands the immediate unconditional 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 Economic and Social 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 1989 the question of allegations regarding infringements of trade union rights in South Africa as a sub-item of the item entitled "Human rights".

#### DRAFT RESOLUTION XI

##### Effective implementation of international instruments on human rights

##### The Economic and Social Council,

Affirming that the effective implementation of international instruments on human rights is of major importance to the efforts made by the United Nations, pursuant to the Charter and the Universal Declaration of Human Rights, 8/ to promote universal respect for, and observance of, human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role in this connection and hence represents an important continuing concern of the United Nations,

Recalling the many resolutions adopted by the General Assembly, the Economic and Social Council and the Commission on Human Rights that have affirmed this concern and addressed various aspects of the effective implementation of international instruments on human rights,

Recalling in particular General Assembly resolution 42/105 of 7 December 1987, concerning reporting obligations of States parties to international instruments on human rights,

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8/ General Assembly resolution 217 A (III).

1. Appeals strongly to all States that have not yet become parties to international instruments on human rights to do so;
2. Emphasizes the interest and responsibility of States parties to the various human rights instruments in ensuring that legal, financial and administrative difficulties affecting the functioning of the relevant treaty bodies are appropriately addressed;
3. Urges all States parties to the International Convention on the Elimination of All Forms of Racial Discrimination 9/ and all States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 10/ to comply fully with their financial obligations under these conventions;
4. Emphasizes that the United Nations has an interest in ensuring that difficulties affecting the functioning of the relevant treaty bodies are appropriately addressed;
5. Affirms its commitment to relevant provisions of various resolutions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, addressing issues such as:
  - (a) The importance of effective systems of periodic reporting by States parties to international instruments on human rights for reviewing and assisting efforts to promote and protect the rights and freedoms elaborated in those instruments;
  - (b) The need for the United Nations to ensure that financial difficulties, which may increasingly impede the functioning of certain human rights treaty bodies and deter universal acceptance of certain international instruments on human rights are appropriately addressed;
  - (c) The importance of the application of universally recognized criteria in the implementation of provisions of the international instruments on human rights;
6. Requests the Secretary-General to fully inform the General Assembly at its forty-third session, the Economic and Social Council at its first regular session of 1989 and the Commission on Human Rights, as its subsidiary body, at its forty-fifth session, as well as the 2nd meeting of chairmen of human rights treaty bodies, of further developments concerning the effective functioning of treaty bodies established in accordance with the international instruments on human rights.

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

10/ General Assembly resolution 39/46, annex.

DRAFT RESOLUTION XII

Realization of the right to adequate housing

The Economic and Social Council,

Recalling its resolutions 1986/41 of 23 May 1986 and 1987/62 of 29 May 1987,

Recalling also General Assembly resolution 41/146 of 4 December 1986,

Taking into account General Assembly resolution 42/146 of 7 December 1987, in which the Assembly requested the Economic and Social Council and its appropriate functional commissions to keep the question of the right to adequate housing under periodic review,

Bearing in mind that the Universal Declaration of Human Rights 11/ and the International Covenant on Economic, Social and Cultural Rights 12/ 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 that right,

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

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

Noting with appreciation the measures and action taken and the renewed commitments made during the International Year of Shelter for the Homeless by Member States, specialized agencies and intergovernmental and non-governmental organizations so as to advance the realization of the right to adequate housing,

Recognizing the importance of sustaining the momentum generated by the International Year of Shelter for the Homeless,

1. Expresses its deep concern that millions of people do not enjoy the right to adequate housing;
2. Reiterates the provisions of General Assembly resolution 42/146 and 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;

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11/ General Assembly resolution 217 A (III).

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

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 to develop national shelter strategies and settlement improvement programmes within the framework of the Global Strategy for Shelter to the Year 2000; 13/

4. Requests the Secretary-General to submit a report on the social aspects of the situation of homeless people to the General Assembly at its forty-fifth session;

5. Requests the General Assembly to consider the question of the realization of the right to adequate housing at its forty-third session under the agenda item entitled "Report of the Economic and Social Council".

64. 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-XVIII, see the report of the Commission on Human Rights (E/1988/12 and Corr.1), chap. I, sect. B, draft decisions 1 to 6 and 8 to 19.]

#### DRAFT DECISION XIX

#### 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 1988/6 of 22 February 1988, 14/ 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, 1986/146 of 23 May 1986 and 1987/155 of 29 May 1987 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 15/ and in General

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13/ See General Assembly resolution 42/191.

14/ Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12 and Corr.1), chap. II, sect. A.

15/ 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.

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, 41/6 of 21 October 1986 and 42/3 of 14 October 1987.

The Council expresses its grave concern at the unresolved dilemma of the approximately 292,000 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, in which, inter alia, he appealed to all concerned to avoid endangering the lives of these Kampuchean civilians and adding to the misery and deprivation that already afflicts these most unfortunate people.

The Council also expresses its grave concern at the continued violation of human rights by the foreign occupying force in Kampuchea of Kampuchean nationals in their homeland, as well as of innocent Kampuchean displaced persons seeking temporary shelter in encampments along the border.

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. 16/ The Council notes the visits undertaken by the Chairman and members of the Committee to a number of countries in 1987 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 XX

##### Report of the Commission on Human Rights on its forty-fourth session

The Economic and Social Council takes note of the report of the Commission on Human Rights on its forty-fourth session. 17/

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16/ See A/CONF.109/9, para. 7.

17/ Official Records of the Economic and Social Council, 1988, Supplement No. 2 (E/1988/12 and Corr.1).



DRAFT DECISION XXI

Reports considered by the Economic and Social Council  
in connection with the question of human rights

The Economic and Social Council takes note of the following documents:

- (a) Report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States; 18/
- (b) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region; 19/
- (c) 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; 20/
- (d) Note by the Secretary-General on methods applied under different human rights instruments as regards their financial implications. 21/

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18/ E/1988/24.

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

20/ A/43/305-E/1988/26.

21/ E/1988/85.