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REPORT ON THE FORTY-THIRD SESSION

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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I. DRAFT RESOLUTIONS AND DECISIONS RECOMMENDED FOR
ADOPTION BY THE ECONOMIC AND SOCIAL COUNCIL

A. Draft resolutions

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.

[See chap. II, sect. A, resolution 1987/48,
and chap. XIII.]

II. 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

The Economic and Social Council,

Recalling Commission on Human Rights resolution 1987/52 of 11 March 1987,

1. Authorizes an open-ended working group, with a view to continuing the elaboration 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, to meet for a period of one week prior to the forty-fourth session of the Commission on Human Rights;

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, and to transmit the report of the working group that met prior to and during the forty-third session, together with the annexes thereto, to all Member States in advance of its meeting to enable it to continue its work on the elaboration of the draft declaration.

[See chap. II, sect. A, resolution 1987/52,
and chap. XII.]

III. Summary or arbitrary executions

The Economic and Social Council,

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

Recalling 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, 38/96 of 16 December 1983, 39/110 of 4 December 1984, 40/143 of 13 December 1985 and 41/144 of 4 December 1986,

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

Welcoming Economic and Social Council resolution 1984/50 of 25 May 1984, and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15, as well as the ongoing work on summary and arbitrary executions within the Committee on Crime Prevention and Control,

Recognizing the need for closer co-operation between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and the Committee on Crime Prevention and Control in efforts to bring an end to summary or arbitrary executions,

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

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental right, the right to life,

1. Strongly condemns, 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-legal executions;

3. Takes note with appreciation of the report (E/CN.4/1987/20) of Mr. S. Amos Wako, Special Rapporteur, and welcomes his recommendations with a view to eliminating summary or arbitrary executions, in particular:

"(a) That Governments:

- (i) Ratify international human rights instruments, such as the International Covenant on Civil and Political Rights, including the Optional Protocol thereto, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- (ii) Review national laws and regulations with a view to strengthening the preventive measures against deaths caused by illegal or excessive use of force by security, law enforcement or other government officials;
- (iii) Review the machinery for investigation of deaths under suspicious circumstances in order to secure an impartial, independent investigation on such deaths, including an adequate autopsy;
- (iv) Review the trial procedures of tribunals, including those of special tribunals, in order to ensure that they embody adequate safeguards to protect the rights of the accused in the trial proceedings, as stipulated in the relevant international instruments;
- (v) Emphasize the importance of the right to life in the training of all law enforcement personnel and inculcate in them respect for life;

"(b) That international organizations:

- (i) Strengthen their co-ordination in dealing with the immediate problems and the root causes of summary or arbitrary executions, in particular by sharing information, publications, studies, expertise, etc.;

- (ii) Make a concerted effort to draft international standards designed to ensure proper investigation by appropriate authorities into all cases of suspicious death, including provisions for adequate autopsy.

"In addition, Governments, individually and through the international community, should support and encourage peace initiatives and political solutions to situations of armed conflict. Also Governments should be encouraged to take appropriate and effective measures, on national, regional and international levels, to combat terrorism and/or terrorist acts.

"Furthermore, Governments should be encouraged to enter into bilateral or regional agreements with a view to extending mutual assistance and co-operation to enhance the capacity of their authorities to safeguard the individual's right to life. At the international level, organs within the United Nations system should undertake action with a view to assisting Governments to reconstruct the infrastructure that will enable the authorities concerned effectively to carry out their basic obligation to protect the right to life of individuals in their societies.";

4. Decides to renew the mandate of the Special Rapporteur, Mr. S. Amos Wako, for another year, in order to enable him to submit further conclusions and recommendations to the Commission;
5. Requests the Special Rapporteur in carrying out his mandate to continue to examine situations of summary or arbitrary executions;
6. Requests the Special Rapporteur in carrying out his mandate to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened or when such an execution has occurred;
7. Endorses the recommendation of the Special Rapporteur on the need to develop international standards designed to ensure effective legislation and on other domestic measures so that proper investigations are conducted by appropriate authorities into all cases of suspicious death, including provision for adequate autopsy;
8. Invites again the Special Rapporteur to receive information from appropriate United Nations agencies and other international organizations and to examine the elements to be included in such standards, and to report to the Commission on Human Rights on progress made in this respect;
9. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;
10. Urges all Governments and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

11. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appears not to be respected;

12. Requests the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-fourth session under the agenda item "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".

[See chap. II, sect. A, resolution 1987/57,
and chap. XII.]

B. Draft decisions

1. Situation of human rights in Haiti

The Economic and Social Council, noting Commission on Human Rights resolution 1987/13 of 2 March 1987, decides that the report of the Special Representative on the situation of human rights in Haiti (E/CN.4/1987/R.2) should be made public, as recommended by the Commission, so as to encourage assistance to the Government of Haiti in its endeavours to bring about full respect for human rights and fundamental freedoms in Haiti. The Council approves the Commission's decision to request the Secretary-General to appoint an expert with a view to assisting the Government of Haiti, through direct contacts, in taking the necessary action for the full restoration of human rights.

[See chap. II, sect. A, resolution 1987/13,
and chap. XII.]

2. 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

The Economic and Social Council approves the decision of the Commission on Human Rights, in decision 1987/103 of 2 March 1987, to set up a working group (Working Group on Situations) composed of five of its members to meet for one week prior to its forty-fourth 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-ninth session under Council resolution 1503 (XLVIII) of 27 May 1970 and those situations of which the Commission is seized.

[See chap. II, sect. B, decision 1987/103,
and chap. XII.]

3. Situation of human rights in South Africa

The Economic and Social Council, noting Commission on Human Rights resolution 1987/14 of 3 March 1987, approves the Commission's decision to renew the mandate of the Ad Hoc Working Group of Experts on southern Africa.

[See chap. II, sect. A, resolution 1987/14,
and chap. VI.]

4. 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, noting Commission on Human Rights resolution 1987/15 of 4 March 1987, approves the Commission's decision to extend for one year the mandate of the Special Rapporteur appointed to examine

incidents and governmental actions in all parts of the world which are inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures, as appropriate. The Council further approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur to enable him to report to the Commission at its forty-fourth session.

[See chap. II, sect. A, resolution 1987/15,
and chap. XXII.]

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

The Economic and Social Council, noting Commission on Human Rights resolution 1987/16 of 9 March 1987, approves the Commission's decision to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination. The Council further approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur.

[See chap. II, sect. A, resolution 1987/16,
and chap. IX.]

6. The right to development

The Economic and Social Council, noting Commission on Human Rights resolution 1987/23 of 10 March 1987, decides to transmit to the General Assembly at its forty-second session the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1987/10). The Council also approves the Commission's decision to convene the Working Group for two weeks in January 1988. The Council further approves the Commission's request to the Secretary-General to provide all necessary assistance to the Working Group.

[See chap. II, sect. A, resolution 1987/23,
and chap. VIII.]

7. Torture and other cruel, inhuman or degrading treatment or punishment

The Economic and Social Council, noting Commission on Human Rights resolution 1987/29 of 10 March 1987, approves the Commission's decision to continue for another year the mandate of the Special Rapporteur appointed to examine questions relevant to torture, in order to enable him to submit

further conclusions and recommendations to the Commission. The Council further approves the Commission's request to the Secretary-General to provide all necessary assistance to the Special Rapporteur.

[See chap. II, sect. A, resolution 1987/29,
and chap. X.]

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

The Economic and Social Council endorses Commission on Human Rights resolution 1987/38 of 10 March 1987 on the establishment of a voluntary fund for advisory services and technical assistance in the field of human rights.

[See chap. II, sect. A, resolution 1987/38,
and chap. XXI.]

9. Situation of human rights in El Salvador

The Economic and Social Council, noting Commission on Human Rights resolution 1987/51 of 11 March 1987, approves the Commission's decision to extend for another year the mandate of the Special Representative on the situation of human rights in El Salvador.

[See chap. II, sect. A, resolution 1987/51,
and chap. XII.]

10. Situation of human rights in Guatemala

The Economic and Social Council, noting Commission on Human Rights resolution 1987/53 of 11 March 1987, approves the Commission's request to the Secretary-General to appoint an expert with a view to assisting the Government of Guatemala, through direct contacts, in taking the necessary action for the further restoration of human rights.

[See chap. II, sect. A, resolution 1987/53,
and chap. XII.]

11. Human rights situation in the Islamic Republic of Iran

The Economic and Social Council, noting Commission on Human Rights resolution 1987/55 of 11 March 1987, approves the Commission's decision to extend the mandate of the Special Representative on the human rights situation in the Islamic Republic of Iran, as contained in Commission resolution 1984/54, for a further year. The Council further approves the Commission's

request to the Secretary-General to give all necessary assistance to the Special Representative of the Commission.

[See chap. II, sect. A, resolution 1987/55,
and chap. XII.]

12. 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, 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.

[See chap. II, sect. A, resolution 1987/58,
and chap. XII.]

13. Question of human rights in Chile

The Economic and Social Council, noting Commission on Human Rights resolution 1987/60 of 12 March 1987, approves the Commission's decision to extend for one year the mandate of the Special Rapporteur on the situation of human rights in Chile. The Council further approves the Commission's recommendation to the Council that it make appropriate arrangements to ensure that the necessary financial resources and sufficient staff are provided to implement the resolution.

[See chap. II, sect. A, resolution 1987/60,
and chap. V.]

14. 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 forty-third session.

[See chap. XXIV.]

II. RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION
AT ITS FORTY-THIRD SESSION

A. Resolutions

1987/1. Human rights in occupied Syrian territory

The Commission on Human Rights,

Gravely concerned at the fact that Syrian Arab territories occupied by Israel in 1967 are still suffering from the Israeli military occupation, which is becoming increasingly severe and vicious, as Israel has refused, in violation of Article 25 of the Charter of the United Nations, to accept and carry out the numerous relevant decisions of the Security Council concerning the Syrian occupied territory, in particular resolution 497 (1981) of 17 December 1981, thus failing to carry out its obligations under the Charter,

Recalling once again the provisions of the Charter of the United Nations and the Universal Declaration of Human Rights and guided by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Reaffirming Security Council resolution 497 (1981),

Recalling the resolution adopted by the 71st Inter-Parliamentary Conference, held at Geneva from 2 to 7 April 1984, which condemned all Israeli policies and practices relating to the annexation of occupied Arab territories in Jerusalem and the Syrian Golan Heights,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/41/680),

Noting with severe disapproval, after having considered the above report, that Israel continues its flagrant violations of human rights in Syrian and other Arab territories occupied by Israel since 1967, despite the resolutions on occupied Arab territories adopted by the Commission, the Security Council, the General Assembly and other United Nations organs and specialized agencies, condemning Israel for its continued occupation of the Syrian and other Arab territories and calling upon Israel to put an end to its occupation and to implement the above-mentioned resolutions,

Affirming its resolution 1986/2 of 20 February 1986,

Recalling World Health Assembly resolution WHA/39.10 of 15 May 1986, by which the Assembly condemned Israel for its policy aiming at the annexation of the occupied Arab territories and for its illegal exploitation of the natural wealth and resources of the Arab inhabitants in those territories, all of which have devastating and long-term effects on the mental and physical health conditions of the population under occupation,

Recalling General Assembly resolution 3314 (XXIX) of 14 December 1974, in which the Assembly defined an act of aggression, inter alia, as "the invasion or attack by the armed forces of a State of the territory of another State or

any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Recalling General Assembly resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 37/123 A of 16 December 1982, 38/79 D of 15 December 1983, 39/146 B of 14 December 1984, 40/161 D to F of 16 December 1985 and 41/162 B of 4 December 1986, relating to the population of the Syrian territory that has been occupied since 1967,

Reaffirming that all relevant provisions of the Regulations annexed to The Hague Conventions of 1899 and 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian and other Arab territories, including Jerusalem, that have been occupied by Israel since 1967, and calling upon the parties to those conventions to respect and ensure respect for their obligations under those instruments in all circumstances,

Reaffirming the resolutions of the Security Council, the General Assembly and other bodies which state that the acquisition of territory by force is inadmissible under the principles of international law and relevant United Nations resolutions,

Noting that Israel's record, policies and actions and its continued violations of human rights establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

1. Strongly condemns Israel for its persistent disregard for, and defiance of, the provisions of Security Council resolution 497 (1981) and all other resolutions relating to occupied Syrian territory adopted by the General Assembly and other United Nations bodies and specialized agencies, and strongly deprecates Israel's failure to implement the provisions of these resolutions by ending its occupation and ceasing its repressive measures and violations of human rights;

2. Deplores Israel's continued refusal to allow the Special Committee access to the occupied Arab territories and to implement General Assembly resolution 2443 (XXIII) of 19 December 1968 and demands that Israel allow the Special Committee access to the occupied territories;

3. Declares once more that the continued Israeli occupation of the Syrian Golan Heights and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights, which has resulted in the effective annexation of this territory, constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314 (XXIX), and that the decision of 14 December 1981 is null and void, has no international legal validity or effect, constitutes a grave violation of international law and the Charter of the United Nations and is in defiance of the international community;

4. Strongly deplores the negative vote and pro-Israeli position of a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter of the United Nations, the "appropriate measures" referred to in resolution 497 (1981), adopted unanimously by the Security Council;

5. Deplores the inhuman treatment, terror and practices contrary to human rights which the Israeli occupation authorities continue to apply against Syrian citizens in the occupied Syrian Golan Heights by reason of their refusal of Israeli nationality and in order to force them to carry Israeli identity cards, which practices constitute a flagrant violation of the Universal Declaration of Human Rights, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant resolutions adopted by the Security Council, the General Assembly and other international bodies and also constitute a threat to peace and international security;

6. Reaffirms its request to all States Members of the United Nations not to recognize any jurisdiction, laws or measures established by Israel in respect of occupied Syrian and other Arab territories, and calls upon the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

7. Calls upon Israel, the occupying Power, to rescind forthwith its decision of 14 December 1981 and to cease its acts of terrorism directed against Syrian citizens in the occupied Syrian Golan Heights in order to impose Israeli citizenship upon them and force them to carry Israeli identity cards, and condemns the Israeli repression against the educational institutions in the occupied Syrian Golan Heights and the imposition of courses that promote hatred, prejudice and religious intolerance;

8. Emphasizes that Israel must allow the evacuees from among the Golan population to return to their homes and to recover their property and residences occupied by Israel since 1967, and firmly emphasizes the overriding necessity of the total and unconditional withdrawal by Israel from all Palestinian and Syrian territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a just and comprehensive peace in the Middle East;

9. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, the regional intergovernmental organizations and the international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission of Human Rights at its forty-fourth session;

10. Requests the Secretary-General to provide all the necessary financial facilities to the Special Committee, including those required for its visits to the occupied territories and to the concerned Arab countries, so that it may investigate the Israeli policies and practices referred to in the present resolution;

11. Decides to place on the provisional agenda of its forty-fourth session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

27th meeting
19 February 1987

[Adopted by a roll-call vote of 28 to 1, with 13 abstentions. See chap. IV.]

1987/2. Question of the violation of human rights in the occupied Arab territories, including Palestine

A

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations as well as the principles and provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and of The Hague Convention IV of 1907, as well as the principles of international humanitarian law,

Taking into consideration General Assembly resolution 3314 (XXIX) of 14 December 1974, which defined as an act of aggression "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof",

Recalling General Assembly resolutions ES-7/2 of 29 July 1980, 37/88 A to G of 10 December 1982, 37/123 A to F of 16 and 20 December 1982, 38/58 A to E of 13 December 1983, 38/79 A to H of 15 December 1983, 39/49 A to D of 11 December 1984, 39/95 A to H of 14 December 1984, 40/161 A to G of 16 December 1985 and 41/63 A to G of 2 December 1986 and all other relevant General Assembly resolutions on Israeli violations of the human rights of the population of occupied Arab territories,

Recalling, in particular, Security Council resolutions 237 (1967) of 14 June 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980, 478 (1980) of 20 August 1980 and 484 (1980) of 19 December 1980 and all other relevant Security Council resolutions,

Taking note of the reports and resolutions of the International Labour Organisation, the United Nations Educational, Scientific and Cultural

Organization and the World Health Organization as well as the report of the seminar on violations of human rights in the Palestinian and other Arab territories occupied by Israel, held at Geneva from 29 November to 3 December 1982, and the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

Recalling its previous resolutions in this connection, particularly resolutions 1982/1 A and B of 11 February 1982, 1983/1 A and B and 1983/2 of 15 February 1983, 1984/1 A and B and 1984/2 of 20 February 1984, 1985/1 A and B of 19 February 1985 and 1986/1 A and B of 20 February 1986 on the "Question of the violation of human rights in the occupied Arab territories, including Palestine",

Taking note with grave alarm of the content of the report of the Special Committee regarding Israel's pursuance of the "iron fist" policy in the occupied Palestinian territories,

1. Reaffirms the fact that occupation itself constitutes a fundamental violation of the human rights of the civilian population of the occupied Arab territories, including Palestine;
2. Denounces the continued refusal of Israel to allow the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories access to the occupied territories, and calls upon it to allow the Special Committee to visit the occupied territories in implementation of the relevant General Assembly resolutions;
3. Reiterates the deep concern expressed by the Special Committee in its reports submitted to the General Assembly that Israel's policy in the occupied territories is based on the so-called "Homeland" doctrine which envisages a monoreligious (Jewish) State that includes territories occupied by Israel since June 1967, and the affirmation by the Special Committee that this policy not only denies the right to self-determination of the population of the occupied territories but also constitutes the source of the continuing and systematic violation of human rights;
4. Reaffirms the fact that Israel's continuous grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and of the Additional Protocols to the Geneva Conventions of 1949 are war crimes and an affront to humanity;
5. Firmly rejects and reiterates its condemnation of Israel's decision to annex Jerusalem and to change the physical character, demographic composition, institutional structure or status of the occupied territories, including Jerusalem, and considers all these measures and their consequences null and void;
6. Strongly condemns the implementation of the "iron fist" policy against the population of the occupied territories;
7. Strongly condemns Israel's attempts to subject the West Bank and the Gaza Strip to Israeli laws;

8. Strongly condemns Israeli policies and practices, administrative and legislative measures to promote and expand the establishment of settler colonies in the occupied territories, as well as the following practices:

(a) Annexation of parts of the occupied territories, including Jerusalem;

(b) Continuing establishment of new Israeli settlements and expansion of existing settlements on private and public Arab lands, and transfer of an alien population thereto;

(c) Arming of settlers in the occupied territories to commit acts of violence against Arab civilians, and perpetration of acts of violence by these armed settlers against individuals from Palestinian camps and institutions, causing injury and death and wide-scale damage to Arab property, and all terrorist acts undertaken against the Palestinian inhabitants of the occupied territories by Zionist gangs under the supervision of the occupation authorities;

(d) Striking at Muslim and Christian religious and holy places and repeated attacks on Al Aqsa Mosque aimed at seizing and destroying it, and hindering religious freedom and practices;

(e) Evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories, denial of their right to return to their homeland and transfer and settlement of alien populations brought from other parts of the world in the place of the original Palestinian owners of land;

(f) Confiscation and expropriation of Arab property in the occupied territories from Palestinian owners and demolition and destruction of Arab houses;

(g) Mass arrests, collective punishments, administrative detention, torture of persons under detention, ill-treatment of the Arab population and inhuman conditions in prisons as well as attacks and use of tear-gas against prisoners in the prisons of Kfar Youna, Janeed, Narha, Hebron, Ashkelon and Para'a, in September and October 1986;

(h) Pillaging of archaeological and cultural property and systematic Israeli repression of cultural and educational institutions, especially universities, schools and institutes, in the occupied Palestinian territories, their closure or the restriction and obstruction of their academic activities through subjection of the selection of courses, textbooks and educational programmes, admission of students and appointment of faculty members to the control and supervision of the military occupation authorities;

(i) Attacks against Palestinian students in universities and institutes, such as that which occurred in Bir Zeit University, where a number of them were killed or wounded when they were fired upon inside the university campus on 4 December 1986;

(j) Expropriation and exploitation of the natural wealth, water and other resources which belong to the inhabitants of the occupied territories;

(k) The dismantling of municipal services by dismissal of the elected mayors as well as the municipal councils and prevention of the flow of Arab aid funds to the population of the occupied territories;

9. Calls upon Israel to take immediate steps for the return of the displaced Arab inhabitants to their homes and property in Palestine and other Arab territories occupied since June 1967;

10. Calls upon the Israeli authorities to implement forthwith Security Council resolution 484 (1980) of 19 December 1980 and previous resolutions calling for the immediate return of the elected mayors to their municipalities so that they can resume the functions for which they were elected;

11. Urges Israel to refrain from policies and practices which violate human rights in the occupied territories;

12. Reiterates its call to all States, in particular the States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in accordance with article 1 of that Convention, and to international organizations and specialized agencies, not to recognize any changes carried out by Israel in the occupied territories, including Jerusalem, and to avoid taking any action or extending any aid which might be used by Israel in its pursuit of the policies of annexation and colonization or any other policies and practices referred to in the present resolution;

13. Requests the General Assembly, through the Economic and Social Council, to recommend to the Security Council the adoption against Israel of the measures referred to in Chapter VII of the Charter of the United Nations for its persistent violation of the human rights of the population of the Palestinian and other occupied Arab territories;

14. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, the regional intergovernmental organizations and the international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its forty-fourth session;

15. Further requests the Secretary-General to provide the Commission with all United Nations reports appearing between sessions of the Commission and dealing with the situation of the population of those occupied territories;

16. Decides to place on the provisional agenda of the forty-fourth session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

27th meeting
19 February 1987

[Adopted by a roll-call vote of 28 to 8, with
6 abstentions. See chap. IV.]

The Commission on Human Rights,

Recalling its resolutions 1982/1 B of 11 February 1982, 1983/1 B of 15 February 1983, 1984/1 B of 20 February 1984, 1985/1 B of 19 February 1985 and 1986/1 A and B of 20 February 1986,

Recalling General Assembly resolutions 2674 (XXV) and 2675 (XXV) of 9 December 1970, 3092 A (XXVIII) of 7 December 1973, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 D of 14 December 1984, 40/161 A to G of 16 December 1985, 41/43 A to D of 2 December 1986 and 41/63 A to G of 3 December 1986,

Recalling Security Council resolutions 465 (1980) of 1 March 1980, 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980, 471 (1980) of 5 June 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980 and 484 (1980) of 19 December 1980,

Recalling resolution III on the application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, adopted by the Twenty-fourth International Conference of the Red Cross held at Manila in November 1981, and reaffirmed by its Twenty-fifth International Conference held in Geneva in October 1986,

Bearing in mind that the provisions of the Geneva Conventions of 12 August 1949 must be fully applied in all circumstances to all persons protected by those instruments, without any adverse distinction based on the nature or origin of the armed conflict or on the causes espoused by or attributed to the conflict,

Recognizing that the persistent refusal of Israel to apply the Geneva Convention relative to the Protection of Civilian Persons in Time of War creates a situation fraught with danger, and considering that it persists in violating human rights,

Taking into account that States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to all Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. Strongly condemns Israel's systematic refusal to apply that Convention in all its provisions to the Palestinian and Arab territories occupied since 1967 and their inhabitants, despite its adherence to that Convention, and its refusal to recognize the applicability of that Convention to those territories;

3. Strongly condemns Israel for its policies of ill-treatment and torture of Palestinian detainees and prisoners in Israeli prisons;

4. Urges Israel to grant prisoner-of-war status, in accordance with the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, to all Palestinian fighters captured by Israel, and to treat them accordingly;

5. Calls upon Israel to abide by and respect the obligations arising from the Charter of the United Nations and other principles of international law, in Palestinian and other Arab territories occupied since 1967, including Jerusalem; requests Israel to release all Arabs detained or imprisoned as a result of their struggle for self-determination and the liberation of their territories and to accord them, pending their release, the protection envisaged in the relevant provisions of the international instruments concerning the treatment of prisoners of war, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and The Hague Convention IV of 1907; and demands that Israel cease forthwith all acts of torture and ill-treatment of Palestinian and Arab detainees and prisoners;

6. Urges once more all States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to make every effort to ensure respect for and compliance with the provisions of that Convention in all the Palestinian and Arab territories occupied by Israel since 1967, including Jerusalem;

7. Strongly condemns Israel for its policy of deporting Palestinian citizens from their homeland, as occurred recently with regard to Mr. Akram Haniyeh, editor of the Jerusalem newspaper Al Shaab, and calls upon Israel, the occupying Power, to refrain forthwith from the deportation of Palestinians and to rescind the deportation decisions to enable those who were deported to return to their homeland and property;

8. Urges Israel to co-operate with the International Committee of the Red Cross and to allow it to visit all Palestinian and Arab detainees in Israeli prisons;

9. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, the regional intergovernmental organizations, the international humanitarian organizations and non-governmental organizations, and to submit a report on progress in its implementation to the Commission on Human Rights at its forty-fourth session;

10. Decides to consider this subject at its forty-fourth session as a matter of high priority.

27th meeting
19 February 1987

[Adopted by a roll-call vote of 29 to 1, with
12 abstentions. See chap. IV.]

1987/3. Question of Western Sahara

The Commission on Human Rights,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Reaffirming General Assembly resolution 41/16 of 31 October 1986 on the question of Western Sahara,

Recalling resolution AHG/Res.104 (XIX) on Western Sahara, adopted unanimously by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,

Recalling also its resolutions 4 (XXXVI) of 15 February 1980, 12 (XXXVII) of 6 March 1981, 1982/15 of 25 February 1982, 1983/6 of 16 February 1983, 1984/13 of 29 February 1984, 1985/5 of 26 February 1985 and 1986/21 of 10 March 1986,

Conscious of its responsibility to promote and encourage observance of human rights and fundamental freedoms for all,

Noting with satisfaction the joint good offices process initiated in New York on 9 April 1986 by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to implementing resolution AHG/Res.104 (XIX) and General Assembly resolution 40/50 of 2 December 1985,

1. Reaffirms that the question of Western Sahara is a question of decolonization which remains to be completed on the basis of the exercise by the people of Western Sahara of their inalienable right to self-determination and independence;

2. Reaffirms also that the solution of the question of Western Sahara lies in the implementation of resolution AHG/Res.104 (XIX) of the Assembly of Heads of State and Government of the Organization of African Unity, which establishes ways and means for a just and definitive political solution to the Western Sahara conflict;

3. Again requests, to that end, the two parties to the conflict, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to undertake direct negotiations, in the shortest possible time, with a view to bringing about a cease-fire to create the necessary conditions for a peaceful and fair referendum for self-determination of the people of Western Sahara, a referendum without any administrative or military constraints, under the auspices of the Organization of African Unity and the United Nations;

4. Welcomes the efforts of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to promote a just and definitive solution of the question of Western Sahara, in conformity with General Assembly resolution 40/50;

5. Welcomes also the invitation by the General Assembly to the current Chairman of the Organization of African Unity and the Secretary-General of the United Nations to exert every effort to persuade the two parties to the conflict, the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to negotiate, in the shortest possible time, in conformity with Organization of African Unity resolution AHG/Res.104 (XIX) and General Assembly resolutions 40/50 and 41/16, the terms of a cease-fire and the modalities for organizing the said referendum;

6. Joins in the appeal by the General Assembly to the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to display the political will necessary to implement Organization of African Unity resolution AHG/Res.104 (XIX) and General Assembly resolutions 40/50 and 41/16;

7. Expresses its satisfaction at the determination of the United Nations to co-operate fully with the Organization of African Unity with a view to implementing the relevant decisions of that organization, in particular resolution AHG/Res.104 (XIX);

8. Decides to follow the development of the situation in Western Sahara and to consider this question within the framework of the agenda item entitled, "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" at its forty-fourth session, as a matter of high priority.

28th meeting

19 February 1987

[Adopted by a roll-call vote of 27 to none, with
15 abstentions. See chap. IX.]

1987/4. Situation in occupied Palestine

The Commission on Human Rights,

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947, which called for the establishment of a Palestinian State in Palestine, 194 (III) of 11 December 1948, 1514 (XV) of 14 December 1960, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 32/14 of 7 November 1977, 32/20 of 25 November 1977, 32/40 A and B of 2 December 1977, 32/42 of 7 December 1977, 33/28 A to C of 7 December 1978, 34/65 A to D of 29 November and 12 December 1979, ES-7/2 of 29 July 1980, 35/169 A to E of 15 December 1980, 36/120 A to F of 10 December 1981, 36/226 A and B of 17 December 1981, ES-7/9 of 24 September 1982, 37/86 A to E of 10 and 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985 and 41/43 A to D of 2 December 1986,

Recalling further Economic and Social Council resolutions 1865 (LVI) and 1866 (LVI) of 17 May 1974,

Reaffirming its previous resolutions in this regard, and most recently resolution 1986/22 of 10 March 1986,

Bearing in mind the reports and recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian people,

Emphasizing once more the right of the Palestinian people to self-determination in accordance with the Charter of the United Nations and the relevant United Nations resolutions, and expressing its grave concern that Israel continues to prevent the Palestinian people by force from enjoying their inalienable rights, in particular their right to self-determination, in defiance of the principles of international law, United Nations resolutions and the will of the international community,

Expressing its grave concern that no just solution has been achieved to the problem of Palestine, which constitutes the core of the Arab-Israeli conflict,

Reiterating its grave concern at the military, economic and political support given by some States to Israel which encourages and strengthens policies pursued by Israel based on aggression, expansion and continued occupation of Palestinian and other Arab territories,

Recalling Israel's brutal practices and crimes of genocide against the Palestinian people, and its acts of physical liquidation aimed at eliminating the question of Palestine and hindering the exercise by the Palestinian people of their right to self-determination, as exhibited in the Sabra and Shatila massacres in September 1982,

1. Reaffirms the inalienable right of the Palestinian people to self-determination without external interference and the establishment of their independent and sovereign State on their national soil in accordance with the Charter of the United Nations and General Assembly resolutions;

2. Reaffirms the inalienable right of the Palestinians to return to their homeland Palestine and their property, from which they have been uprooted by force;

3. Affirms the right of the Palestinian people to regain their rights by all means in accordance with the purposes and principles of the Charter of the United Nations and with relevant United Nations resolutions;

4. Reaffirms the right of the Palestine Liberation Organization, in its capacity as the sole legitimate representative of the Palestinian people, to full participation in all efforts and international conferences concerning the question of Palestine and the future of the Palestinian people;

5. Reaffirms its support for the call to convene an international peace conference on the Middle East, in accordance with the provisions of General Assembly resolution 38/58 C and other relevant General Assembly resolutions, and appeals to all States to make further constructive efforts towards the convening of such a conference;

6. Expresses again its deep regret at the negative attitude of some States, which is hindering the convening of the international peace conference, and calls upon these States to reconsider their attitude towards the question of peace in the Middle East;

7. Strongly condemns Israel for its continued occupation of the Palestinian and other Arab territories, which violates the Charter of the United Nations, the principles of international law and the relevant resolutions of the Security Council, the General Assembly and the Commission on Human Rights and constitutes the major obstacle hindering the exercise of the right to self-determination by the Palestinian people;

8. Strongly condemns Israel for its non-compliance with the relevant resolutions of the Security Council, the General Assembly and the Commission on Human Rights;

9. Calls upon Israel to comply with its obligations under the Charter of the United Nations and withdraw from the Palestinian and Arab territories which it has occupied since 1967;

10. Urges all States, United Nations organs, specialized agencies and other international organizations to extend their support and assistance to the Palestinian people through their representative, the Palestine Liberation Organization, in their struggle to restore their rights in accordance with the Charter of the United Nations and with relevant United Nations resolutions;

11. Requests the Secretary-General to make available to the Commission on Human Rights, prior to the convening of its forty-fourth session, all information pertaining to the implementation of the present resolution;

12. Requests the Secretary-General to transmit the present resolution to the Government of Israel with a view to its implementation and to report thereon to the Commission at the forty-fourth session;

13. Decides to place on the provisional agenda of its forty-fourth session as a matter of high priority the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to consider, in the context of this item, the situation in occupied Palestine.

28th meeting
19 February 1987

[Adopted by a roll-call vote of 29 to 6, with
7 abstentions. See chap. IX.]

1987/5. Situation in Afghanistan

The Commission on Human Rights,

Bearing in mind that one of the fundamental purposes of the United Nations set forth in the Charter of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

Recalling its resolutions 3 (XXXVI) of 14 February 1980, 13 (XXXVII) of 6 March 1981, 1982/14 of 25 February 1982, 1983/7 of 16 February 1983, 1984/10 of 29 February 1984, 1985/3 of 26 February 1985 and 1986/23 of 10 March 1986,

Further recalling resolution ES-6/2 of 14 January 1980, adopted by the General Assembly at its sixth emergency special session,

Also recalling General Assembly resolutions 35/37 of 20 November 1980, 36/34 of 18 November 1981, 37/37 of 29 November 1982, 38/29 of 23 November 1983, 39/13 of 15 November 1984, 40/12 of 13 November 1985 and 41/33 of 5 November 1986 on the situation in Afghanistan which, inter alia, reaffirmed the right of the Afghan people to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever, and which called for the immediate withdrawal of the foreign troops from Afghanistan,

Recalling further General Assembly resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985 and 41/100 of 4 December 1986 as well as resolutions 26 (XXXIII), 11 (XXXIV) and 1982/21 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of 12 September 1980, 9 September 1981 and 8 September 1982, respectively,

Recognizing the importance of the initiatives of the Organization of the Islamic Conference and the efforts of the Movement of Non-aligned Countries for a political solution of the situation in respect of Afghanistan,

Reaffirming the purposes and principles of the Charter of the United Nations and the obligation of all States to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity and political independence of any State,

Reaffirming further the inalienable right of all people to determine their own form of government and to choose their own economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever,

Gravely concerned at the continued foreign armed intervention in Afghanistan in contravention of the above principles and its serious implications for international peace and security,

Noting the increasing concern of the international community over the continued and serious sufferings of the Afghan people and over the magnitude of the social and economic problems posed to Pakistan and the Islamic Republic of Iran by the presence on their soil of millions of Afghan refugees and the continuing increase in their numbers,

Deeply conscious of the urgent need for a political solution of the grave situation in respect of Afghanistan,

1. Reaffirms its most profound concern that the people of Afghanistan continue to be denied their right to self-determination and to determine their own form of government and to choose their economic, political and social system free from outside intervention, subversion, coercion or constraint of any kind whatsoever;

2. Calls for the immediate withdrawal of the foreign troops from Afghanistan;

3. Further calls for a political settlement of the situation in Afghanistan on the basis of the withdrawal of foreign troops and full respect for the independence, sovereignty, territorial integrity and non-aligned status of Afghanistan and strict observance of the principle of non-intervention and non-interference;

4. Affirms the right of the Afghan refugees to return to their homes in safety and honour;

5. Urges all concerned to work towards a settlement which would ensure that the Afghan people determine their destiny free from outside interference and which would enable the Afghan refugees to return to their homes;

6. Expresses its appreciation and support for the efforts and constructive steps taken by the Secretary-General, especially the diplomatic process initiated by him, in the search for a solution to the problem;

7. Requests the Secretary-General to continue these efforts with a view to promoting a political solution, in accordance with the provisions of the relevant General Assembly resolutions;

8. Urges all concerned to continue to co-operate with the Secretary-General in his efforts to promote a political solution in respect of the situation in Afghanistan;

9. Appeals to all States and national and international organizations to extend humanitarian relief assistance, with a view to alleviating the hardship of Afghan refugees, in co-ordination with the United Nations High Commissioner for Refugees;

10. Decides to consider this matter at its forty-fourth session with high priority under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

28th meeting
19 February 1987

[Adopted by a roll-call vote of 30 to 5, with
6 abstentions. See chap. IX.]

1987/6. Situation in Kampuchea

The Commission on Human Rights,

Recalling its resolutions 29 (XXXVI) of 11 March 1980, 11 (XXXVII) of 6 March 1981, 1982/13 of 25 February 1982, 1983/5 of 15 February 1983, 1984/12 of 29 February 1984, 1985/12 of 27 February 1985 and 1986/25 of 10 March 1986 and Economic and Social Council 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,

Recalling that all its resolutions reaffirm the inherent and inalienable right of the people of Kampuchea to fundamental freedoms and human rights, in particular the right to self-determination,

Recalling once again 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, which called inter alia for an end to armed intervention, the total withdrawal of foreign forces from Kampuchea, and urgent recourse to a negotiated peaceful settlement, particularly in the context of these resolutions,

Further recalling General Assembly resolutions 36/5, 37/6, 38/3, 39/5, 40/7 and 41/6 which reaffirmed the conviction that, to bring about a durable peace in South-East Asia, there is an urgent need for the international community to find a comprehensive political solution to the Kampuchean problem that will provide for the withdrawal of all foreign forces and ensure respect for the sovereignty, independence, territorial integrity and neutral and non-aligned status of Kampuchea, as well as the right of the Kampuchean people to self-determination free from outside interference,

Emphasizing, in particular, General Assembly resolution 36/5, in which the General Assembly approved the report of the International Conference on Kampuchea, which embraced the four cardinal elements of negotiations for a comprehensive political settlement of the Kampuchean problem,

Recalling General Assembly resolution 41/6, in which the Assembly took note of the report of the Ad hoc Committee of the International Conference on Kampuchea on its activities during 1985-1986 (A/CONF.109/11 and Corr.1), and requested that the Committee continue its work, pending the reconvening of the Conference,

Deplores the continuance of foreign armed intervention in and occupation of Kampuchea, which deprive the Kampuchean people of their right to the exercise of self-determination,

Recognizing the importance of the continued effectiveness of the coalition with Samdech Norodom Sihanouk as President of Democratic Kampuchea in the struggle against foreign occupation in Kampuchea,

Recognizing that the continuing illegal occupation of Kampuchea by foreign forces not only deprives the people of Kampuchea of the exercise of their right to self-determination but also forces a large number of Kampucheans to flee their own homeland as refugees and displaced persons outside Kampuchea,

Emphasizing that it is the inalienable right of those Kampucheans who have sought refuge in neighbouring countries to return safely to their homeland,

Emphasizing further that the effective and full enjoyment of human rights by the Kampuchean people as well as the solution of humanitarian problems cannot be achieved without a comprehensive political settlement of the Kampuchean problem,

Seriously concerned that the continuing illegal occupation of Kampuchea and the reported demographic changes imposed by foreign occupation forces in Kampuchea are a threat to the survival of the Kampuchean people and culture,

Having considered resolutions 13 (XXXIV) of 10 September 1981 and 1982/22 of 8 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, by which the Sub-Commission reiterated its recommendation that the Commission on Human Rights should keep the situation of human rights in Kampuchea under continuing review and should call for a pledge by all States not to interfere in the internal political process of Kampuchea in any way whatsoever after the withdrawal of the foreign forces currently in that country,

1. Reiterates its condemnation of the persistent occurrence of gross and flagrant violations of human rights in Kampuchea as expressed in its resolutions adopted in the last seven years, namely resolutions 29 (XXXVI), 11 (XXXVII), 1982/13, 1983/5, 1984/12, 1985/12 and 1986/25;

2. Reaffirms that the continuing illegal occupation of Kampuchea by foreign forces deprives the people of Kampuchea of the exercise of their right to self-determination and constitutes the primary violation of human rights in Kampuchea at present;

3. Deplores the continued violations of fundamental human rights, the principles of international law and the Charter of the United Nations, particularly the repeated military attacks and shelling by the occupying troops against Kampuchean civilians, over 250,000 of whom have been forced to seek temporary refuge in the United Nations-assisted evacuation sites along the Thai border with Kampuchea, and further deplores the reported forced demographic changes and displacement of the Kampuchean population;

4. Emphasizes that the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of Kampuchea's independence, sovereignty and territorial integrity, the recognition of the Kampuchean people's right to self-determination and the commitment by all States to non-interference and non-intervention in the internal affairs of Kampuchea are essential components of a just and durable solution to the Kampuchean problem;

5. Strongly reaffirms its call to parties to the present conflict in Kampuchea to cease all hostilities forthwith and for the immediate and unconditional withdrawal of foreign forces from Kampuchea, as reiterated in the Declaration on Kampuchea adopted on 17 July 1981, in order that:

(a) The Kampuchean people, free from any foreign interference, aggression and coercion, will be able to exercise their fundamental and inalienable human rights in their totality and indivisibility;

(b) The United Nations may be able to offer its services effectively in the field of human rights and fundamental freedoms in Kampuchea;

(c) In the exercise of their fundamental freedoms and inalienable rights, the Kampuchean people will then be able to choose and determine their own future through free and fair elections under United Nations supervision;

(d) The exercise of the right of all Kampuchean refugees to return to their homeland in safety may be made possible;

(e) Efforts towards a comprehensive political solution to the Kampuchean problem, within the framework of the Declaration on Kampuchea of 17 July 1981 and the relevant United Nations resolutions, may be pursued with a view to establishing an independent, free and non-aligned Kampuchea and thereby achieving durable peace in South-East Asia;

6. Expresses its deep appreciation to the Secretary-General for his report on the implementation of General Assembly resolution 40/7 (A/41/707);

7. Requests the Secretary-General to continue to monitor closely the developments in Kampuchea and urgently to intensify efforts, including the use of his good offices, to bring about a comprehensive political settlement and the restoration of the fundamental human rights of the Kampuchean people;

8. Notes with appreciation the report of the Ad hoc Committee of the International Conference on Kampuchea on its activities during 1985-1986 and requests that the Committee continue its work and that the Conference be reconvened at an appropriate time, in accordance with General Assembly resolution 41/6;

9. Recommends that the Economic and Social Council at its first regular session of 1987 continue to consider, and in particular to undertake, appropriate measures towards the early implementation of relevant recommendations, with a view to achieving the full enjoyment of the fundamental human rights and freedoms of the Kampuchean people, particularly its inalienable right to self-determination;

10. Decides to keep the situation in Kampuchea under review as a matter of high priority at its forty-fourth session under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation."

28th meeting
19 February 1987

[Adopted by a roll-call vote of 29 to 8, with
3 abstentions. See chap. IX.]

1987/7. Situation in southern Africa

The Commission on Human Rights,

Bearing in mind the importance for the effective guarantee and observance of human rights of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights, as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Deeply conscious of the urgent need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, as 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,

Bearing in mind that the provisions of the Geneva Convention of 12 August 1949 apply to all the freedom fighters in South Africa and Namibia fighting for their independence and self-determination,

Recalling General Assembly resolutions 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration,

Recalling further General Assembly resolutions 2649 (XXV) of 30 November 1970, 2955 (XXVII) of 12 December 1972, 3070 (XXVIII) of 30 November 1973, 3236 (XXIX) of 22 November 1974, 3246 (XXIX) of 29 November 1974, 3382 (XXX) of 10 November 1975, 33/24 of 29 November 1978, 35/35 A and B of 14 November 1980, 36/38 of 1 December 1981, 36/76 of 4 December 1981, 37/35 of 23 November 1982, 38/17 of 22 November 1983, 38/54 of 7 December 1983 and 39/91 of 14 December 1984,

Recalling also its resolutions 3 (XXXI) of 11 February 1975, 9 (XXXII) of 5 March 1976, 3 (XXXIV) of 14 February 1978, 2 (XXXV) of 21 February 1979, 5 (XXXVI) of 15 February 1980, 14 (XXXVII) of 6 March 1981, 1982/16 of 25 February 1982, 1983/4 of 15 February 1983, 1984/14 of 29 February 1984, 1985/6 of 26 February 1985 and 1986/24 of 10 March 1986,

Recalling further the relevant provisions of the Paris Declaration on Namibia and the Programme of Action on Namibia (A/CONF.120/13, part 3) adopted by the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983,

Conscious of the worsening of the situation in southern Africa as a result of South Africa's racist policies of oppression, aggression and occupation, which constitute a clear threat to world peace and security, and condemning the continuing breach by South Africa of the obligations assumed by it under the Charter of the United Nations and its persistent non-compliance with the relevant resolutions and decisions of the United Nations,

Expressing its profound indignation at the brutal repression which followed the imposition of the so-called "new constitution" and the declaration of the state of emergency by the apartheid régime of South Africa in defiance of international public opinion,

Condemning the continued colonialist and racist oppression of millions of Africans, particularly in Namibia, by the racist Government of South Africa through its persistent, illegal occupation of the international Territory and its intransigent attitude towards all efforts being made to bring about an internationally acceptable solution to the situation obtaining in the Territory,

Condemning the racist régime of South Africa for its ruthless exploitation of the people and resources of Namibia, as well as its attempt to destroy the national unity and territorial integrity of Namibia,

Condemning the racist régime of South Africa for developing a nuclear capability for military and aggressive purposes which constitutes a serious threat to Africa and to international peace and security,

Reaffirming that Walvis Bay and the offshore islands constitute an integral part of the Territory of Namibia,

Reaffirming that "bantustanization" is incompatible with genuine independence, national unity and sovereignty and has the effect of perpetuating the power of the minority and the racist system of apartheid in South Africa,

Reaffirming also that the system of apartheid imposed on the South African people constitutes a gross and massive violation of the rights of that people,

Reiterating its affirmation on the importance of the effective realization of the right of peoples to self-determination, national sovereignty and territorial integrity and of the speedy granting of independence to colonial countries and peoples as imperative for the enjoyment of human rights,

1. Calls upon all States to implement fully and faithfully the resolutions of the United Nations, in particular General Assembly resolution 1514 (XV), and to take all the necessary steps to enable the dependent peoples of the territories concerned to exercise fully and without further delay their inalienable right to self-determination and independence;

2. Reaffirms the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia including Walvis Bay and the offshore islands, in accordance with the Charter of the United Nations and as recognized in General Assembly resolutions 1514 (XV) of 14 December 1960 and 2145 (XXI) of 27 October 1966 and Security Council resolution 435 (1978) of 29 September 1978, as well as in subsequent resolutions of the Assembly relating to Namibia, and the legitimacy of its struggle by all means at its disposal, including armed struggle, against the illegal occupation of its territory by South Africa;

3. Reaffirms the legitimacy of the struggle of the oppressed people of South Africa and its national liberation movements by all available means, including armed struggle, for the elimination of the apartheid system and the exercise of the right of self-determination by the people of South Africa;

4. Reiterates its affirmation that the continuation of colonialism in all its forms and manifestations, including racism, racial discrimination, apartheid, the exploitation by foreign and other interests of economic and human resources and the waging of colonial wars to suppress the national liberation movements, is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples and poses a serious threat to international peace and security;

5. Urges all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide all moral and material assistance to the oppressed people of South Africa and Namibia;

6. Calls for the full implementation of the provisions of the Paris Declaration of June 1986 calling for mandatory sanctions against South Africa and the Declaration and Programme of Action adopted by the International Conference for the Immediate Independence of Namibia, held at Vienna from 7 to 11 July 1986;

7. Rejects categorically the so-called "new constitution" as null and void and reiterates that peace in South Africa can only be guaranteed by the establishment of majority rule through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa;

8. Strongly condemns the continued violations of the human rights of peoples still under colonial and foreign domination, the continuation of the illegal occupation of Namibia and South Africa's attempts to dismember its territory, and the perpetuation of the racist minority régime in southern Africa;

9. Strongly condemns also the apartheid régime of South Africa for its brutal repression and indiscriminate torture and killing of workers, schoolchildren and other opponents of apartheid, and the imposition of death sentences on freedom fighters;

10. Strongly condemns the wanton killing of peaceful and defenceless demonstrators and workers on strike, as well as the arbitrary arrests of the leaders and activists of mass organizations, and demands their immediate and unconditional release, in particular that of Nelson Mandela and Zephania Mothopeng;

11. Condemns the policy of "bantustanization", which purports to denationalize the majority of the South African people and is contrary to the principle of self-determination and inconsistent with genuine independence and national unity;

12. Condemns the imposition of censorship and other restrictions on the media by the racist régime, in particular on press reports and the transmission of audio-visual material, aimed at concealing from world public opinion the ruthless atrocities perpetrated by the apartheid régime against the peoples of South Africa and Namibia;

13. Vigorously condemns all collaboration, particularly in the nuclear, military and economic fields, with the Government of South Africa and calls upon the States concerned to cease all such collaboration forthwith;

14. Condemns the continuing activities of foreign economic and other interests which are impeding the implementation of the Declaration contained in General Assembly resolution 1514 (XV) with respect to colonial territories, particularly Namibia;

15. Demands that South Africa immediately release all people detained or imprisoned as a result of their struggle for self-determination and independence, and that it guarantee full respect for their fundamental rights and the observance of article 5 of the Universal Declaration of Human Rights, under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment;

16. Declares that the illegal occupation of Namibia by South Africa continues to constitute an act of aggression against the Namibian people and a threat to international peace and security as well as an affront to the United Nations, which has direct responsibility for the Territory until independence;

17. Condemns the wanton acts of aggression and destabilization perpetrated by the apartheid régime of South Africa against front-line and other neighbouring States;

18. Demands that South Africa put an immediate, total and unconditional end to its wanton and unprovoked acts of aggression and withdraw its occupation forces from Angola;

19. Calls upon the Western and other countries with political, economic, military, nuclear, strategic, cultural and sports relations with the racist minority régime of South Africa to sever such relations, as they encourage that régime to persist in its suppression of the aspirations of people to self-determination and independence;

20. Decides to include in the provisional agenda of its forty-fourth session the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to give it high priority consideration.

28th meeting
19 February 1987

[Adopted by a roll-call vote of 31 to 5, with
6 abstentions. See chap. IX.]

1987/8. Situation of human rights in Namibia

The Commission on Human Rights,

Recalling its resolution 2 (XXIII) of 6 March 1967, by which it set up the Ad Hoc Working Group of Experts on southern Africa, and its resolutions 21 (XXV) of 19 March 1969, 7 (XXVII) of 8 March 1971, 19 (XXIX) of 3 April 1973, 5 (XXXI) of 14 February 1975, 6 A to C (XXXIII) of 4 March 1977, 12 (XXXV) of 6 March 1979, 5 (XXXVII) of 23 February 1981, 1983/10 of 18 February 1983, 1984/4 of 28 February 1984, 1985/7 of 26 February 1985 and 1986/3 of 28 February 1986,

Recalling General Assembly resolutions 40/97 A to F of 13 December 1985 and 41/39 A to E of 20 November 1986,

Recalling further other resolutions and decisions declaring the illegality of the continued occupation of Namibia by South Africa, in particular Security Council resolution 284 (1970) of 29 July 1970 and the advisory opinion of the International Court of Justice of 21 June 1971,

Taking note of Security Council resolution 566 (1985) of 19 June 1985, by which the Council condemned the racist régime of South Africa for its installation of a so-called interim government and declared such action to be illegal, null and void,

Referring to General Assembly resolution 41/39 A, in which the Assembly welcomed, inter alia, the final communiqué of the seminar on world action for the immediate independence of Namibia, held at Valetta from 19 to 23 May 1986, the Declaration and Programme of Action adopted by the International Conference for the Immediate Independence of Namibia, held at Vienna from 7 to 11 July 1986, and the Appeal for the Immediate Independence of Namibia by the eminent persons participating in the International Conference, the resolution adopted by the Council of Ministers of the Organization of African Unity at its forty-fourth ordinary session, held at Addis Ababa from 21 to 26 July 1986, on the refusal to impose sanctions on South Africa (A/41/654, annex I), the Declaration of the Summit Conference of Heads of State and

Government of the Organization of African Unity at its twenty-second ordinary session, held at Addis Ababa from 28 to 30 July 1986, on involvement in the internal affairs of the People's Republic of Angola (A/41/654 annex II),

Recalling the debates of the special session of the General Assembly on the question of Namibia and resolution S-14/1 adopted at that session on 20 September 1986,

Having examined the chapters on Namibia contained in the report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/AC.22/1987/1 and E/CN.4/1987/8),

Reaffirming its recognition of the inalienable right of all peoples to self-determination and independence in accordance with the principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Bearing in mind that 1987 marks the twenty-first anniversary of the termination by the General Assembly of the Mandate of South Africa over Namibia, and expressing its grave concern that the racist régime of South Africa nevertheless continues its illegal occupation of Namibia in defiance of resolutions and decisions of the General Assembly,

Deeply concerned at the explosive situation in Namibia arising from South Africa's continued illegal occupation of the Territory, its denial of the right of self-determination to the Namibian people and its militarization of the Territory, which it uses as a base for aggression against Angola,

Strongly reiterating that such continuing illegal and colonial occupation of Namibia by South Africa, in defiance of repeated General Assembly and Security Council resolutions, constitutes an act of aggression against the Namibian people and a challenge to the authority of the United Nations, which has direct responsibility for Namibia until independence,

Deeply concerned at the continued collaboration of certain States and international institutions with the racist régime of South Africa, in disregard of the relevant resolutions of the General Assembly and the Security Council,

Indignant at the continuing arbitrary imprisonment and detention of leaders, members and supporters of the South West Africa People's Organization, the killing, torture and murder of innocent Namibians, and other inhuman measures by the illegal occupation régime designed to intimidate the Namibian people and to destroy their determination to fulfil their legitimate aspirations for self-determination, freedom and national independence in a united Namibia,

Deeply concerned also at the gross violations of human rights in Namibia,

Stressing the solemn responsibility of the international community to take all effective measures in support of the Namibian people in their liberation struggle under the leadership of the South West Africa People's Organization,

1. Reiterates its affirmation of the inalienable right of the Namibian people to self-determination and independence and the rights enshrined in the Universal Declaration of Human Rights and other relevant international instruments, and declares again that the right to self-determination and independence can be legally exercised only in accordance with the conditions determined by the United Nations in Security Council resolutions 435 (1978) of 29 September 1978 and 439 (1978) of 13 November 1978;

2. Once again condemns South Africa for:

- (a) The militarization in Namibia;
- (b) The use of mercenaries to suppress the Namibian people;
- (c) The recruitment and training of Namibians for tribal armies;
- (d) Its proclamation of a so-called security zone in Namibia;
- (e) Forcible displacement of Namibians from their homes;
- (f) The torture and other forms of brutality meted out to the population and in particular to captured freedom fighters of the South West Africa People's Organization;

(g) The imposition of military conscription on all Namibian males between seventeen and fifty-five years of age into the occupying colonial army, another sinister attempt to suppress the national liberation struggle of the Namibian people and to force Namibians to kill one another;

(h) The exploitation and depletion of natural resources in violation of the decision of the United Nations and Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974;

3. Demands once again that South Africa co-operate with the United Nations to bring about the immediate independence of Namibia in accordance with Security Council resolution 435 (1978), without raising extraneous issues, so that the people of Namibia will be enabled to exercise their right to self-determination and enjoy their human rights;

4. Declares that South Africa's illegal occupation of Namibia constitutes an act of aggression against the Namibian people in terms of the Definition of Aggression contained in the annex to General Assembly resolution 3314 (XXIX) of 14 December 1974;

5. Strongly condemns as unacceptable attempts by South Africa to impose the so-called interim government on the Namibian people in total disregard of Security Council resolutions 385 (1976) of 30 January 1976, 435 (1978) of 29 September 1978, 439 (1978) of 13 November 1978, 532 (1983) of 31 May 1983 and 539 (1983) of 28 October 1983 and of other relevant resolutions of the General Assembly and the Security Council;

6. Denounces all fraudulent constitutional and political schemes through which the illegal racist régime of South Africa is attempting to perpetuate its colonial domination of Namibia and, therefore, calls upon the international community to continue to refrain from according any recognition or extending any co-operation to any régime which the illegal South African administration may impose upon the Namibian people in disregard of Security Council resolutions 532 (1983) and 539 (1983) and of other relevant resolutions of the General Assembly and the Security Council;

7. Deplores, in this context, the establishment and operation by racist South Africa of the so-called Namibia Information Offices in Paris, Bonn, London and Washington, among other cities, aimed at legitimizing its puppet institutions in Namibia, in particular the so-called interim government for which the racist régime has been condemned by the Security Council and the international community, and demands their immediate closure;

8. Declares that all so-called laws and proclamations issued by the illegal occupation régime in Namibia are illegal, null and void;

9. Strongly urges the Security Council to act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime of South Africa aimed at frustrating the legitimate struggle of the Namibian people for self-determination and national liberation under the leadership of the South West Africa People's Organization;

10. Demands that South Africa unconditionally terminate all acts of aggression against neighbouring countries, particularly Angola, and withdraw all its armed forces from Angola;

11. Welcomes and endorses the universal and categorical rejection of the "linkage" between the independence of Namibia and irrelevant and extraneous issues, such as the presence of Cuban forces in Angola, and emphasizes unequivocally that such "linkage", in addition to delaying the decolonization process in Namibia, constitutes interference in the internal affairs of Angola;

12. Strongly condemns the continued collaboration of certain States and international institutions with the racist régime of South Africa as well as all foreign economic interests operating in Namibia in disregard of the relevant resolutions of the General Assembly and the Security Council, and expresses its deep conviction that such collaboration helps to prolong South Africa's domination and control over the people and territory of Namibia;

13. Declares that, by their incessant exploitation of the human and natural resources of the Territory and their continued accumulation and repatriation of profits, the foreign economic, financial and other interests operating in Namibia constitute a major obstacle to its independence;

14. Requests once again all Member States, particularly those States whose corporations are engaged in the exploitation of Namibian resources, to take all appropriate measures, including legislative and enforcement action, to ensure that all corporations and individuals within their jurisdiction fully apply and comply with the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia;

15. Welcomes the decision of the United Nations Council for Namibia of 2 May 1985 to initiate legal proceedings in the domestic courts of States against corporations or individuals involved in the exploitation, transport, processing or purchase of Namibia's natural resources, as part of its efforts to give effect to Decree No. 1 for the Protection of the Natural Resources of Namibia;

16. Strongly urges the Security Council, in view of the persistent refusal by the racist régime of South Africa to comply with the resolutions and decisions of the United Nations on the question of Namibia, particularly Council resolutions 385 (1976), 435 (1978), 539 (1983) and 566 (1985), and, in the light of the serious threat to international peace and security posed by South Africa, to impose comprehensive mandatory sanctions against that régime as provided for in Chapter VII of the Charter;

17. Expresses its appreciation to those Western and Nordic States which have applied economic sanctions against the racist régime of South Africa;

18. Demands once again that South Africa immediately release all Namibian political prisoners, including all those imprisoned or detained under the so-called internal security laws, martial law or any other arbitrary measures, whether such Namibians have been charged or tried or are being held without charge in Namibia or South Africa;

19. Declares that the liberation struggle in Namibia falls within the scope of article 1, paragraph 4, of Additional Protocol I of 1977 to the Geneva Conventions of 12 August 1949, and, in this regard, demands that the Conventions and Additional Protocol I be applied by South Africa, and in particular that all captured freedom fighters be accorded prisoner-of-war status as called for by the Geneva Convention relative to the Treatment of Prisoners of War and Additional Protocol I;

20. Demands that South Africa account for all "disappeared" Namibians and release any who are still alive, and declares that South Africa shall be liable to compensate the victims, their families and the future lawful Government of an independent Namibia for the losses sustained;

21. Further reiterates that Member States must exert all efforts to counter any manoeuvres by racist South Africa and its allies aimed at circumventing the United Nations and undermining its primary responsibility for the decolonization of Namibia;

22. Welcomes the Vienna Declaration and Programme of Action on Namibia, adopted by the International Conference for the Immediate Independence of Namibia, held at Vienna from 7 to 11 July 1986, and urges the international community to implement them;

23. Reiterates the request that South Africa allow the Ad Hoc Working Group of Experts to make an on-the-spot investigation of living conditions in the prisons in Namibia and the treatment of prisoners;

24. Renews its request to the Ad Hoc Working Group of Experts to bring to the attention of the Chairman of the Commission on Human Rights, for whatever action he may deem appropriate, particularly serious violations of human rights in Namibia which may come to its attention;

25. Requests the Ad Hoc Working Group of Experts to report to the Commission on Human Rights at its forty-fourth session on the policies and practices which violate human rights in Namibia and to submit appropriate recommendations;

26. Requests the Secretary-General to provide every assistance and the resources required to enable the Ad Hoc Working Group to discharge its responsibilities under the terms of the present resolution;

27. Expresses its appreciation to the Secretary-General for his personal commitment to the independence of Namibia and for his efforts aimed at the implementation of resolutions and decisions of the United Nations on the question of Namibia, particularly Security Council resolution 435 (1978), and urges him to continue those efforts;

28. Requests the Economic and Social Council to transmit the present resolution to the General Assembly, the Security Council, the Special Committee against Apartheid and the United Nations Council for Namibia.

38th meeting
26 February 1987

[Adopted by a roll-call vote of 35 to none, with
7 abstentions. See chap. VI.]

1987/9 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 Commission on Human Rights,

Recalling General Assembly resolutions 3382 (XXX) and 3383 (XXX) of 10 November 1975, 31/33 of 30 November 1976, 33/23 of 29 November 1978, 35/32 of 14 November 1980, 36/172 A to P of 17 December 1981, 37/39 of 3 December 1982, 39/15 of 23 November 1984 and 41/95 of 4 December 1986,

Recalling General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Recalling also General Assembly resolution 3171 (XXVIII) of 17 December 1973, relating to permanent sovereignty over natural resources of both developing countries and territories under colonial and foreign domination or subjected to the apartheid régime, and resolution 3362 (S-VII) of 16 September 1975,

Bearing in mind its resolutions 7 (XXXIII) of 4 March 1977, 6 (XXXIV) of 22 February 1978, 9 (XXXV) of 5 March 1979, 11 (XXXVI) of 26 February 1980, 8 (XXXVII) of 23 February 1981, 1982/12 of 25 February 1982, 1983/11 of 18 February 1983, 1984/6 of 28 February 1984, 1985/9 of 26 February 1985 and 1986/5 of 28 February 1986,

Taking into account, in particular, the relevant decisions adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-second ordinary session, held at Addis Ababa from 28 to 30 July 1986 (A/41/654, annex II), and by the Council of Ministers of that organization at its forty-fourth ordinary session, held at Addis Ababa from 21 to 26 July 1986 (A/41/654, annex I),

Taking into account resolution 1985/3 of 27 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking note of the updated report prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa (E/CN.4/Sub.2/1987/8/Rev.1),

Reiterating its appreciation of the opinions, restated by the Group of three members of the Commission appointed under article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, that the actions of transnational corporations which operate in South Africa come under the definition of the crime of apartheid and that article III of that Convention could apply to the actions of such transnational corporations (E/CN.4/1986/30, para. 36),

Reaffirming that any form of assistance given to the racist régime of South Africa constitutes a hostile act against the oppressed people of southern Africa in their struggle for freedom and independence and obstructs efforts aimed at the elimination of colonialism, apartheid and racial discrimination in South Africa and Namibia,

Reaffirming that the utmost priority must be accorded to ensuring the full implementation of international instruments as well as the resolutions of the United Nations for the eradication of racism and apartheid and the liberation of the people of South Africa and Namibia from the racist and colonial régime,

Noting with profound concern that the major Western and other trading partners of South Africa continue to collaborate with the racist régime, disregarding United Nations decisions relating to the total isolation of South Africa, and that their collaboration constitutes the main obstacle to the liquidation of that racist régime and the elimination of the inhuman and criminal system of apartheid,

Deeply concerned about the ever-increasing investment of foreign capital in the exploitation of uranium and wet gas in Namibia and South Africa,

Considering that such collaboration promotes the illegal occupation of Namibia and gross violations of human rights in southern Africa and enables South Africa to acquire the means necessary to carry out acts of aggression and blackmail against independent African States, thus increasing the threat to peace and international security,

Concerned that the recent decision by certain banking and international financial institutions to reschedule Pretoria's international debt and the granting of new loans are hostile acts against the oppressed in South Africa and pose a major challenge to the Governments and peoples of the world committed to the speedy eradication of racist minority rule in that country,

Alarmed at the continued collaboration of certain Western States and Israel with the racist régime of South Africa in the nuclear field,

Regretting that the Security Council has not been in a position to take binding decisions to prevent any collaboration in the nuclear field with South Africa,

Conscious of the continuing need to mobilize world public opinion against the political, military, economic and other forms of assistance given to the racist régime of South Africa,

Welcoming the establishment of the Action for Resisting Invasion, Colonialism and Apartheid Fund by the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held in Harare from 1 to 6 September 1986, and the launching of the Fund following the Africa Fund summit meeting, held in New Delhi on 24 and 25 January 1987,

1. Reaffirms the inalienable right of the oppressed peoples of South Africa and Namibia to self-determination, independence and enjoyment of the natural resources of their territories;

2. Again reaffirms the right of those same peoples to dispose of those resources for their greater well-being and to obtain just reparation for the exploitation, depletion, loss or depreciation of those natural resources, including reparation for the exploitation and abuse of their human resources;

3. Vigorously condemns the assistance rendered by the major Western countries and Israel to South Africa in the political, economic, financial and particularly the military field and expresses its conviction that this assistance constitutes a hostile action against the people of South Africa, Namibia and the neighbouring States since it is bound to strengthen the military capability of the racist régime, and demands that such assistance be immediately terminated;

4. Condemns the continuing nuclear collaboration of certain Western States, Israel and other States with the racist régime of South Africa and urges those States to cease and desist forthwith from supplying South Africa with nuclear equipment and technology, which enable it to develop a nuclear weapon capability, threaten peace and international security, obstruct efforts to eliminate apartheid and maintain its illegal occupation of Namibia;

5. Strongly condemns the activities of all foreign economic interests operating in Namibia under the illegal South African administration which are illegally exploiting the resources of the Territory and demands that transnational corporations engaged in such exploitation comply with all relevant resolutions of the United Nations by immediately refraining from any new investment or activities in Namibia, by withdrawing from the Territory and by putting an end to their co-operation with the illegal South African administration;

6. Notes with appreciation the recent measures taken by some States, parliamentarians, institutions and non-governmental organizations in order to exert pressure on the racist régime of South Africa and calls upon them to redouble and intensify their efforts to force the racist régime to comply with resolutions and decisions of the United Nations on Namibia and South Africa;

7. Calls once again upon all Governments that have not yet done so to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in South Africa and Namibia, with a view to putting a stop to their trading, manufacturing and investing activities in the territory of South Africa as well as on the territory of Namibia illegally occupied by the racist Pretoria régime;

8. Calls again upon the same Governments to take measures to end all technological assistance or collaboration in the manufacture of arms and military supplies in South Africa and Namibia, and in particular to cease all collaboration with South Africa in the nuclear field;

9. Rejects all policies which encourage the racist régime of South Africa to intensify its repression of the people of South Africa and Namibia and escalate its acts of aggression against the neighbouring States in defiance of the resolutions and decisions of the United Nations;

10. Welcomes the request of the General Assembly that the Security Council urgently consider complete and mandatory sanctions under Chapter VII of the Charter of the United Nations against the racist, colonial régime of South Africa, in particular:

(a) The prohibition of all technological assistance or collaboration in the manufacture of arms and military supplies in South Africa;

(b) The cessation of all collaboration with South Africa in the nuclear field;

(c) The prohibition of all loans to, and all investments in, South Africa and the cessation of any trade with South Africa;

(d) An embargo on the supply of petroleum, petroleum products and other strategic goods to South Africa;

11. Strongly condemns South Africa for its persistent acts of subversion and aggression against Angola, including the occupation of a part of its territory, and calls upon South Africa to cease all acts of aggression against, and withdraw all its troops from, that country;

12. Demands that South Africa cease forthwith its acts of aggression aimed at undermining the economies and destabilizing the political institutions of neighbouring States;

13. Appeals to all States, specialized agencies and non-governmental organizations to extend all possible co-operation to the liberation movements of southern Africa recognized by the United Nations and the Organization of African Unity;

14. Welcomes the establishment and launching of the Action for Resisting Invasion, Colonialism and Apartheid Fund and appeals to the international community to contribute to that Fund;

15. Urgently requests all specialized agencies, particularly the International Monetary Fund, to refrain from granting any type of loan or financial assistance to the racist régime of South Africa;

16. Calls upon States, specialized agencies, regional intergovernmental organizations and non-governmental organizations to continue and intensify their campaign to mobilize international public opinion for the enforcement of economic and other sanctions against the Pretoria régime;

17. Expresses its appreciation to Mr. Ahmed Khalifa, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, for his updated report;

18. Welcomes the decision of the General Assembly in resolution 41/95 to renew the mandate of the Special Rapporteur;

19. Decides to consider this matter at its forty-fourth session under the agenda item "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".

38th meeting
26 February 1987

[Adopted by a roll-call vote of 30 to 6, with
6 abstentions. See chap. VII.]

1987/10. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the and racist and colonialist régime of South Africa - Report of the Special Rapporteur

The Commission on Human Rights,

Mindful of General Assembly resolution 41/95 of 4 December 1986,

Recalling its resolution 1986/6 of 28 February 1986,

Noting resolution 1985/3 of 27 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. Expresses its satisfaction to the Special Rapporteur of the Sub-Commission, Mr. Ahmed Khalifa, for his updated report (E/CN.4/Sub.2/1987/8/Rev.1) and its appreciation for his continuing attention to the relevant comments expressed during the debates thereon;

2. Invites the Special Rapporteur:

(a) To continue to update, subject to annual review, the list of banks, transnational corporations and other organizations assisting the racist régime of South Africa, giving such details regarding enterprises listed as the Rapporteur may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report through the Sub-Commission to the Commission on Human Rights;

(b) To use all available material from other United Nations organs, Member States, specialized agencies and other intergovernmental or non-governmental organizations and other relevant sources in order to indicate the volume, nature and adverse human consequences of the assistance given to the racist régime of South Africa;

(c) To intensify direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid, with a view to consolidating mutual co-operation in updating his report;

3. Calls upon all Governments:

(a) To co-operate with the Special Rapporteur in making the report even more accurate and informative;

(b) To disseminate the updated report and give its contents the widest possible publicity;

4. Requests the Secretary-General to give the Special Rapporteur all the assistance that he may require in the exercise of his mandate, with a view to intensifying direct contacts with the United Nations Centre on Transnational Corporations and the Centre against Apartheid, and to make available to him two economists to assist him to expand his work on the analysis and annotation of certain selected cases as reflected in his report;

5. Invites the Secretary-General to continue to give the updated report of the Special Rapporteur the widest distribution and publicity as a United Nations publication;

6. Decides to consider the revised report at its forty-fourth session within the framework of the agenda item "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".

38th meeting
26 February 1987

[Adopted by a roll-call vote of 31 to 5, with
6 abstentions. See chap. VII.]

1987/11. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The Commission on Human Rights,

Recalling General Assembly resolution 41/103 of 4 December 1986,

Recalling its resolutions 10 (XXXV) of 5 March 1979, 13 (XXXVI) of 26 February 1980, 6 (XXXVII) of 23 February 1981, 1982/10 of 25 February 1982, 1983/12 of 18 February 1983, 1984/7 of 28 February 1984, 1985/10 of 26 February 1985 and 1986/7 of 28 February 1986,

Recalling its resolution 7 (XXXIV) of 22 February 1978, in which it called upon States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid to submit, in accordance with article VII of the Convention, their first report not later than two years after becoming parties to the Convention and their periodic reports at two-year intervals,

Having considered the report of the Group of three members of the Commission appointed under article IX of the Convention (E/CN.4/1987/28),

Reaffirming its conviction that apartheid constitutes a total negation of the purposes and principles of the Charter of the United Nations, a gross violation of human rights and a crime against humanity, seriously threatening international peace and security,

Convinced that the crime of apartheid is a form of the crime of genocide,

Reaffirming the view that the activities of transnational corporations operating in South Africa perpetuate the crime of apartheid,

Reaffirming that it is the responsibility of the United Nations and the international community as a whole to assist the people of South Africa to eliminate apartheid,

Condemning the continued collaboration of certain States and transnational corporations with the racist régime of South Africa in the political, economic, military and other fields as an encouragement to the intensification of its odious policy of apartheid,

Welcoming the holding of the World Conference on Sanctions against Racist South Africa which took place at Paris from 16 to 20 June 1986,

Expressing satisfaction at the large number of States which have ratified or acceded to the International Convention on the Suppression and Punishment of the Crime of Apartheid,

Reaffirming its conviction that ratification of, or accession to, the Convention on a universal basis and implementation of its provisions are necessary for its effectiveness and therefore will contribute to the eradication of the crime of apartheid,

Drawing attention to the need to strengthen the various mechanisms for combating apartheid, inter alia through the establishment of an international penal tribunal as provided for in article V of the Convention,

Reaffirming its conviction that the imposition of comprehensive, mandatory sanctions against the racist régime of South Africa is a peaceful means available to the international community for putting an end to the system of apartheid,

1. Takes note with appreciation of the report of the Group of three members of the Commission which was set up under the International Convention on the Suppression and Punishment of the Crime of Apartheid, and in particular of the conclusions and recommendations contained in that report;

2. Welcomes the work done by the Group of Three in accordance with Commission resolution 1986/7;

3. Commends those States parties to the Convention that have submitted periodic reports and calls upon those States parties that have not yet done so to submit their reports as soon as possible, in accordance with article VII of the Convention;

4. Again urges States which have not yet done so to ratify or accede to the Convention without delay, especially those States which have jurisdiction over transnational corporations operating in South Africa and in Namibia and without whose co-operation such operations could not be halted;

5. Urges also all States to ratify the Convention on the Prevention and Punishment of the Crime of Genocide;

6. Recommends once again that all States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid should take full account of the general guidelines laid down by the Group of Three in 1978 for the submission of reports (E/CN.4/1286, annex);

7. Reiterates its recommendation to States parties to be represented when their country's report is to be considered by the Group of Three;

8. Draws the attention of all States to the opinion expressed by the Group of Three in its report that transnational corporations operating in South Africa and Namibia must be considered accomplices in the crime of apartheid, in accordance with article III (b) of the Convention;

9. Calls on States parties to strengthen their co-operation at the national and international level in order to implement fully the decisions taken by the Security Council and other competent United Nations bodies with a view to the prevention, suppression and punishment of the crime of apartheid, in accordance with article VI of the Convention and with the Charter of the United Nations;

10. Takes note with appreciation of the decisions of the World Conference on Sanctions against Racist South Africa, held at Paris from 16 to 20 June 1986, and calls upon all Governments actively to support the Declaration adopted by the Conference;

11. Draws the attention of the States parties to the desirability of disseminating further information on the Convention, the implementation of its provisions and the work of the Group of Three established under article IX of the Convention;

12. Notes the importance of measures to be taken by States parties in the field of teaching and education for fuller implementation of the Convention;

13. Appeals to all States, United Nations organs, specialized agencies and international and national non-governmental organizations to step up their activities in enhancing public awareness by denouncing the crimes committed by the racist régime of South Africa;

14. Requests the Secretary-General once more to invite States parties to the Convention to express their views on the extent and the nature of the responsibility of transnational corporations for the continued existence of the system of apartheid in South Africa;

15. Requests the Group of Three to continue, in the light of the views expressed by States parties to the Convention, the examination of the extent and the nature of the responsibility of transnational corporations for the continued existence of the system of apartheid in South Africa, including legal action that may be taken under the Convention against transnational corporations whose operations in South Africa come under the crime of apartheid, and to report to the Commission at its forty-fourth session;

16. Furthermore requests the Secretary-General to invite the States parties to the Convention, the specialized agencies and non-governmental organizations to provide the Commission on Human Rights with relevant information concerning the types of the crime of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa;

17. Requests the Secretary-General to intensify his efforts, through appropriate channels, to disseminate information on the Convention and its implementation with a view to promoting further ratifications of or accessions to the Convention;

18. Decides that the Group of Three shall meet for a period of not more than five days before the forty-fourth session of the Commission to consider the reports submitted by States parties in accordance with article VII of the Convention;

19. Requests the Secretary-General to provide all necessary assistance to the Group of Three.

38th meeting
26 February 1987

[Adopted by a roll-call vote of 31 to 1, with
10 abstentions. See chap. XVI.]

1987/12. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination

The Commission on Human Rights,

Reaffirming the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming its conviction that racism, racial discrimination and apartheid constitute a total negation of the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and apartheid,

Recalling its resolution 1986/8 of 28 February 1986,

Bearing in mind General Assembly resolution 39/16 of 23 November 1984 on the Second Decade to Combat Racism and Racial Discrimination, in which the Assembly invited the Commission on Human Rights to continue exercising vigilance in identifying actual or emergent situations of racism or racial discrimination, to draw attention to them where discovered and to suggest remedial measures,

Convinced of the need to take more effective and sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of apartheid in South Africa and Namibia,

Noting with concern that, despite the efforts of the international community, the principal objectives of the First Decade for Action to Combat Racism and Racial Discrimination were not attained, and that millions of human beings continue to this day to be the victims of varied forms of racism, racial discrimination and apartheid,

Recalling General Assembly resolution 41/94 of 4 December 1986, by which the Assembly appealed to all Governments, organizations and individuals to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination,

Recalling further that, on the same occasion, the General Assembly requested the Secretary-General to submit to the Economic and Social Council at its first regular session of 1987, a draft plan of activities to be undertaken during the second part (1990-1993) of the Second Decade to Combat Racism and Racial Discrimination,

Taking note with satisfaction of the declarations made by some States regarding their contributions to the Trust Fund,

Taking note of the note by the Secretary-General contained in document E/CN.4/1987/50,

1. Commends all States that have ratified or acceded to the relevant international instruments;

2. Appeals to those States that have not yet done so to take the necessary steps to ratify, accede to and implement the relevant international instruments, particularly the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention against Discrimination in Education, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 December 1960;

3. Emphasizes the importance of adequate recourse procedures for victims of racism and racial discrimination and therefore requests the Secretary-General, in the light of the results of the seminars held on this topic, to prepare and finalize, with the appropriate assistance of qualified experts if possible, a handbook of recourse procedures;

4. Urges all States and international organizations to co-operate with the Secretary-General in the implementation of the plan of activities for the period 1985-1989 (A/39/167-E/1984/33 and Add.1 and 2);

5. Appeals to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination, so as to enable the Secretary-General to implement the various programme elements outlined in the plan of activities for 1985-1989;

6. Requests the Secretary-General to inform the Commission on Human Rights annually of the progress made in carrying out the above-mentioned plan of activities so that the Commission can make its contribution thereto;

7. Takes note with satisfaction of General Assembly resolution 41/94, in which the Assembly requested the Economic and Social Council to envisage the organization of a seminar of cultural dialogue between the countries of origin and the host countries of migrant workers, within the framework of its programme of activities for 1985-1989;

8. Reiterates its decision to give thematic consideration, each year, to a selected topic within the plan of activities for 1985-1989;

9. Recalls its resolution 1986/8 in which it decided that the topic for such thematic consideration in 1988 would be "The main obstacles to the total elimination of racism, racial discrimination and apartheid" and requests the Secretary-General to envisage the organization of a seminar on that topic;

10. Decides that the topic for 1989 will be "The political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid";

11. Welcomes General Assembly resolution 40/22 of 29 November 1985, in which the Assembly authorized the Secretary-General to organize in 1988 a global consultation on racial discrimination involving representatives of the United Nations system, regional intergovernmental organizations and interested non-governmental organizations in consultative status with the Economic and Social Council, to focus on the co-ordination of international activities to combat racism and racial discrimination;

12. Encourages the Secretary-General to make every effort to submit to the Economic and Social Council at its first regular session of 1987 an appropriate draft plan of activities for the period 1990-1993;

13. Decides to consider the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination as a matter of high priority at its forty-fourth session.

38th meeting
26 February 1987

[Adopted without a vote. See chap. XVII.]

1987/13. Situation of human rights in Haiti

The Commission on Human Rights,

Having examined the material concerning the human rights situation in Haiti brought before it under Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970, including in particular the comprehensive and informative report of the Special Representative of the Commission (E/CN.4/1987/R.2),

Recognizing the improvements achieved in the human rights situation in Haiti and the demonstrated commitment of the Government of Haiti fully to restore the enjoyment of human rights and fundamental freedoms for all in Haiti, as reflected in the findings of the Special Representative,

Acting under paragraph 8 of Economic and Social Council resolution 1503 (XLVIII),

1. Expresses its appreciation to the Special Representative for the quality of his detailed report and to the Government of Haiti for its unreserved co-operation with the Special Representative and with the Commission;

2. Invites the Government of Haiti to continue in its endeavours to develop full respect for human rights and fundamental freedoms in Haiti and to give consideration to the adoption of measures in areas of need indicated by the Special Representative, particularly:

(a) Training and instruction of the police, military and prison personnel in respect for human rights and fundamental freedoms;

(b) Adoption of measures to strengthen the independence of the judiciary;

(c) Absolute prohibition of torture;

(d) Establishment of a panel of eminent Haitian personalities to investigate and report on past human rights abuses in the country;

(e) Possibility of inviting international observers to the forthcoming legislative and presidential elections;

3. Requests the Secretary-General to maintain contacts with the Government of Haiti with a view to responding to any request for advice or technical assistance in the field of human rights, including advice or technical assistance in the sphere of the organizational aspects of the electoral process, which might be made by the Government of Haiti and, if necessary, to contact Governments and organizations in a position to assist;

4. Invites Governments and organizations in a position to do so to respond positively to any requests for assistance in the field of human rights coming from the Government of Haiti through the Secretary-General;

5. Invites the Secretary-General to facilitate the establishment of contacts between the Government of Haiti, the United Nations Development Programme and the Centre for Human Rights in order to ensure that the human rights dimensions of assistance projects are duly taken into account;

6. Invites the Secretary-General to proceed to award three fellowships to qualified Haitian nationals for training in the following areas indicated by the Special Representative:

(a) Role of the police in the promotion and protection of human rights;

(b) Human rights of prisoners and detainees;

(c) Human rights in the administration of justice;

7. Further invites the Secretary-General to request the Department of Public Information to assist in the dissemination of information on human rights in Haiti, in particular, by providing on a regular basis an adequate supply of copies of the Universal Declaration of Human Rights and the International Covenants on Human Rights and other international human rights instruments, including translations in Creole, and by employing other appropriate modern techniques for the dissemination of information;

8. Urges the Secretary-General, in co-operation with the Government of Haiti, to finalize the dates and arrangements for a training course on human rights in Haiti, which should be held as early as possible;

9. Recommends to the Government of Haiti that it actively consider becoming a party to international instruments in the field of human rights, such as the International Covenant on Civil and Political Rights and the Optional Protocol thereto, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

10. Decides, in view of the findings of the Special Representative and the information provided by the Government, to discontinue its consideration of the situation in Haiti under the procedure established by Economic and Social Council resolution 1503 (XLVIII);

11. Recommends to the Economic and Social Council that the report of the Special Representative be made public so as to encourage assistance to the Government of Haiti in its endeavours to bring about full respect for human rights and fundamental freedoms in Haiti;

12. Requests the Secretary-General to appoint an expert with a view to assisting the Government of Haiti, through direct contacts, in taking the necessary action for the full restoration of human rights;

13. Requests the expert to report on his direct contacts with the Government of Haiti and to formulate recommendations for the full restoration of human rights in Haiti;

14. Decides to examine the report of the expert at its forty-fourth session under the agenda item entitled "Advisory services in the field of human rights";

15. Decides that the present resolution, adopted at the Commission's 42nd (closed) meeting on 1 March 1987, should be made public.

42nd (closed) meeting
2 March 1987

[Adopted without a vote. See chap. XII.]

1987/14. Situation of human rights in South Africa

The Commission on Human Rights,

Recalling its resolution 2 (XXIII) of 6 March 1967, by which it set up the Ad Hoc Working Group of Experts on southern Africa, and its resolutions 21 (XXV) of 19 March 1969, 7 (XXVII) of 8 March 1971, 19 (XXIX) of 3 April 1973, 5 (XXXI) of 14 February 1975, 6 A to C (XXXIII) of 4 March 1977, 12 (XXXV) of 6 March 1979, 5 (XXXVII) of 23 February 1981, 1982/8 of 25 February 1982, 1983/9 of 18 February 1983, 1984/5 of 28 February 1984, 1985/8 of 26 February 1985 and 1986/4 of 28 February 1986,

Recalling General Assembly resolutions 39/15 of 23 November 1984 and 40/64 A to I of 10 December 1985 and Economic and Social Council resolution 1984/42 of 24 May 1984,

Having examined the report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/AC.22/1987/1 and E/CN.4/1987/8),

Recognizing the value of the reports of the Ad Hoc Working Group of Experts in the efforts of the United Nations to expose and combat apartheid and gross violations of human rights in South Africa,

Noting that the Ad Hoc Working Group of Experts has concluded in its previous reports that the effects of apartheid have resulted in certain criminal consequences similar to those prohibited in the Convention on the Prevention and Punishment of the Crime of Genocide,

Noting that gross and cruel violations of human rights under apartheid continue to take place in South Africa,

Outraged by South Africa's escalation of acts of terrorism, especially the use of the army, the police and murder squads in the black African townships, where massacres and daily killings of defenceless men, women and children have become the order of the day,

Deeply concerned about racist South Africa's undeclared war of destabilization of and aggression against the neighbouring independent African States,

Noting with indignation Pretoria's persistent blackmail, coercion, and threats of full-scale aggression against southern African States,

Reiterating its conviction that the apartheid system in South Africa is the root cause of conflict in the sub-continent and that this inhuman policy constitutes a threat to international peace and security,

Considering that the South African people's struggle in all its forms for a united, non-racial democratic society enjoys the full support of the progressive international community,

Convinced that the immediate imposition of effective sanctions against South Africa can help to avert the outbreak of a racial conflagration in the region,

Satisfied with the success scored by the oppressed people of South Africa in their united mass action to make the apartheid system unworkable,

Appreciating the world-wide momentum against apartheid and the consensus in favour of sanctions against racist South Africa,

Appreciating the continuing supportive role of the front-line and other neighbouring States at this time of perseverance and steadfastness, and their call for the immediate lifting of the ban on the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political organizations,

1. Congratulates the Ad Hoc Working Group of Experts for the commendable and impartial manner in which it has prepared its report;
2. Expresses its profound indignation at the fact that apartheid remains institutionalized;
3. Denounces again the policy of "bantustanization", the forced removals of the black population, the policy of so-called "voluntary" removals and the policy of denationalization;

4. Affirms the conviction that apartheid cannot be reformed but should be abolished in all its forms and hence reaffirms its rejection as null and void of the so-called constitutional arrangements in South Africa, as they, inter alia:

(a) Serve to perpetuate apartheid and other forms of racial intolerance and discrimination;

(b) Continue to exclude the majority black population from participating in the political, social, economic and cultural life of their country;

(c) Continue to deny the black population their full citizenship rights;

5. Strongly condemns the dramatic escalation of violations of human rights in South Africa since the imposition of the state of emergency in June 1986 and other subsequent regulations;

6. Strongly condemns also the widespread detention and incarceration of children under the inhuman apartheid penal system;

7. Unequivocally rejects South Africa's so-called reforms, which fall short of the termination of the existing state of emergency, the abolition of the apartheid laws, the dismantling of the "bantustans", the lifting of the bans on all political organizations and parties, the return of all political exiles and freedom fighters and the unconditional release of all political prisoners with whom the régime must deal in bringing about changes based on the "one person, one vote" principle in a non-fragmented South Africa;

8. Demands the unconditional and immediate release of Mr. Nelson Mandela, Mr. Zephania Mothopeng and all political prisoners in South Africa;

9. Demands the lifting of the ban on the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political organizations;

10. Demands that South Africa desist from its brutal repression, torture and harassment of organizations and individuals engaged in the legitimate struggle against the apartheid policies;

11. Strongly condemns South Africa for its indiscriminate use of force against unarmed demonstrators, its widespread use of torture against political opponents and its inhumane detention and incarceration of minors;

12. Calls on South Africa to respect international standards on trade-union rights in respect of black trade unions and particularly to desist from harassing, intimidating, arresting and maltreating black trade-union leaders;

13. Demands that South Africa repeal its ban on the popular organizations so as to afford the masses of South Africa access to legitimate vehicles for expressing their political, social and cultural aspirations;

14. Commends all movements and mass organizations of South Africa for their resistance and united action to make the apartheid system unworkable;

15. Demands that South Africa take immediate steps to ensure that all South Africans are afforded the opportunity of access to a unified, free educational system designed to be consistent with the development of a profound appreciation of the brotherhood of mankind, liberty and peace;

16. Demands that South Africa immediately and completely abolish the unjust and inhumane system of apartheid in all its forms;

17. Condemns South Africa for its military pressures and other destabilization policies towards the front-line States and for its support, encouragement and provision of material resources to armed bands and mercenaries who seek to destabilize front-line and neighbouring States;

18. Commends the front-line and other neighbouring States for their unending sacrifice to the cause of freedom and human dignity in South Africa and calls upon the international community to increase its financial, material, political and moral support to the national liberation movements of South Africa and also the front-line States to enhance their capability to bring to an immediate end apartheid and its diabolic and repressive institutions;

19. Urges all States which have not yet done so to cease any form of support or assistance to the racist régime of South Africa;

20. Deeply regrets the fact that the Security Council was prevented on 20 February 1987 from imposing mandatory sanctions against the South African régime under Chapter VII of the Charter of the United Nations;

21. Expresses the fervent hope that the Security Council will be enabled, in the very near future, to impose mandatory sanctions against the South African régime, in discharge of its responsibility under Chapter VII of the Charter of the United Nations;

22. Endorses, pending the adoption of comprehensive and mandatory sanctions, the following measures that have been adopted by certain countries and organizations and commends them to the wider international community for urgent adoption and implementation:

(a) Prohibition of the transfer of technology to South Africa;

(b) Cessation of exports, sales or transport of oil and oil products to South Africa, and of any co-operation with South Africa's oil industry;

(c) Cessation of further investments in and financial loans to South Africa or Namibia and of any governmental insurance guarantee of credits to the racist régime;

(d) Cessation of all promotion of or support for trade with South Africa, including governmental assistance to trade missions;

(e) Prohibition of the sale of krugerrand and any other coins minted in South Africa;

(f) Prohibition of imports from South Africa of agricultural products, coal, uranium, iron and steel, etc.;

(g) Termination of any visa-free entry privileges and of the promotion of tourism to South Africa;

(h) Termination of air and shipping links with South Africa;

(i) Cessation of all academic, cultural, scientific and sports relations with South Africa, and of relations with individuals, institutions and other bodies endorsing or based on apartheid;

(j) Suspension or abrogation of agreements with South Africa, such as agreements on cultural and scientific co-operation;

(k) Termination of double taxation agreements with South Africa;

(l) Ban on Government contracts with majority-owned South African companies;

23. Strongly recommends to the Economic and Social Council that, in order fully to sensitize international public opinion, particularly that of youth, to the realities of apartheid, a year be declared "Academic Year against Apartheid" and that the subject "The evils of apartheid" be taught in all educational institutions throughout the world;

24. Recalls the adoption by the General Assembly of the International Convention against Apartheid in Sports in resolution 40/64 G of 10 December 1985;

25. Decides to renew the mandate of the Ad Hoc Working Group of Experts, composed of the following persons acting in their personal capacity: Mr. Elly Elikunda E. M'Tango (United Republic of Tanzania), Mr. Branimir Jankovic (Yugoslavia); Mr. Felix Ermacora (Austria); Mr. Humberto Díaz Casanueva (Chile); Mr. Mulka Govinda Reddy (India) and Mr. Mikuin Leliel Balanda (Zaire);

26. Decides that the Ad Hoc Working Group of Experts should continue to investigate and study the policies and practices which violate human rights in South Africa and Namibia;

27. Requests the Ad Hoc Working Group of Experts, in co-operation with the Special Committee against Apartheid and other investigatory and monitoring bodies, to continue to investigate cases of torture and ill-treatment of detainees and the deaths of detainees in South Africa;

28. Takes note of the studies and findings of the Ad Hoc Working Group of Experts contained in its report;

29. Renews its request to the Government of South Africa to allow the Ad Hoc Working Group of Experts to make on-the-spot investigations of the living conditions in prisons in South Africa and Namibia and the treatment of prisoners in such a manner that:

(a) The Ad Hoc Working Group of Experts would be guaranteed free, confidential access to any prisoner, detainee, ex-prisoner, ex-detainee or any other persons;

(b) The South African Government would provide a firm undertaking that any person providing evidence for such an investigation would be granted immunity from any State action arising from participation in the investigation;

30. Requests the Ad Hoc Working Group of Experts to continue to bring to the attention of the Chairman of the Commission on Human Rights, for whatever action he may deem appropriate, particularly serious violations of human rights in South Africa which may come to its attention during its studies;

31. Authorizes the Chairman of the Ad Hoc Working Group of Experts within existing resources to participate in conferences, symposia, seminars or other events connected with action against apartheid organized under the auspices of the Special Committee against Apartheid;

32. Requests the Ad Hoc Working Group of Experts to submit its final report to the Commission at its forty-fourth session;

33. Requests the Secretary-General to provide every assistance within available resources to enable the Ad Hoc Working Group of Experts to discharge its responsibilities in accordance with the relevant provisions of the present resolution;

34. Requests the Economic and Social Council to transmit the present resolution to the General Assembly, the Security Council, the Special Committee against Apartheid and the United Nations Council for Namibia.

44th meeting

3 March 1987

[Adopted by a roll-call vote of 36 to 3, with
3 abstentions. See chap. VI.]

1987/15. Implementation of the Declaration on the Elimination of
All Forms of Intolerance and of Discrimination Based on
Religion or Belief

The Commission on Human Rights,

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 36/55 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,

Noting General Assembly resolution 41/112 of 4 December 1986, in which the Assembly requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its forty-second session,

Noting the submission to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its forthcoming thirty-ninth session, of the study prepared by its Special Rapporteur in accordance with Sub-Commission resolution 1983/31 of 6 September 1983 on the current dimensions of the problems of intolerance and of discrimination on the grounds of religion or belief (E/CN.4/Sub.2/1987/26),

Recognizing that it is desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief and that both Governments and non-governmental organizations have an important role to play in this domain,

Conscious of the importance of education in ensuring tolerance of religion or belief,

Recognizing the valuable contribution that can be made to the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief by activities undertaken on a regional basis,

Recognizing that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

Having carefully examined the report (E/CN.4/1987/35) of the Special Rapporteur of the Commission appointed to examine incidents and governmental actions in all parts of the world which are inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures, as appropriate,

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

Believing that further efforts are therefore required in order to promote and protect the right to freedom of thought, conscience, religion and belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;
2. Commends the report of the Special Rapporteur;

3. Urges States, in accordance with their respective constitutional system, and with such internationally accepted instruments as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

4. Requests the Sub-Commission to examine as a matter of priority at its thirty-ninth session the report of its Special Rapporteur, Mrs. Elizabeth Odio Benito, and to transmit it to the Commission at its forty-fourth session, together with the observations of the Sub-Commission, in particular in regard to the recommendations concerning the elaboration of a convention;

5. Urges States that have not already done so to provide the Secretary-General with information on their national legislation and regulations on the question of freedom of religion or belief, with particular regard to the measures taken to combat intolerance or discrimination in this field;

6. Requests the Secretary-General to prepare, on the basis of the information so provided, an addendum to the compendium of the national legislation and regulations of States on the question of freedom of religion or belief, with particular regard to the measures taken to combat intolerance or discrimination in this field;

7. Urges all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine, where necessary, the supervision and training of their civil servants, educators and other public officials to ensure that, in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

8. Invites the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

9. Invites the Secretary-General to continue to give high priority to the dissemination of the text of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, in all official languages of the United Nations and in national languages, and to take all appropriate measures to make the text available for use by United Nations information centres as well as by other interested bodies;

10. Requests the Secretary-General in this context to invite interested non-governmental organizations to consider what further role they could envisage playing in the dissemination of the Declaration in national and local languages;

11. Recognizes the important contribution which a binding international instrument could make towards eliminating all forms of intolerance and of discrimination based on religion or belief, and invites the Secretary-General to submit a report to the Commission at its forty-fourth session based on the comments of Member States on the modalities by which such an undertaking could be pursued, including the possible establishment of a working group, taking into account the provisions of General Assembly resolution 41/120 of 4 December 1986, as well as the deliberations of the Commission on this subject;

12. Decides to consider, at its forty-fourth session, in the light of the report of the Secretary-General, the report of Mrs. Odio Benito and the relevant observations of the Sub-Commission, the question of the drafting of such an instrument;

13. Decides to extend for one year the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world which are inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures, as appropriate;

14. Invites the Special Rapporteur, in carrying out his mandate, to bear in mind the need to be able to respond effectively to credible and reliable information that comes before him and to carry out his work with discretion and independence;

15. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteur to enable him to report to the Commission at its forty-fourth session;

16. Requests the Secretary-General to report to the Commission at its forty-fourth session on measures to implement the present resolution;

17. Decides to continue its consideration of this matter at its forty-fourth session under the agenda item "Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief".

46th meeting
4 March 1987

[Adopted without a vote. See chap. XXII.]

1987/16. The use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination

The Commission on Human Rights,

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, 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,

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, 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 those in southern Africa,

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 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 the resolutions of the General Assembly, particularly resolutions 1514 (XV) of 14 December 1960, 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970, 3103 (XXVIII) of 12 December 1973, 34/140 of 14 December 1979, 40/74 of 11 December 1985 and 41/102 of 4 December 1986, in which the Assembly denounced the practice of using mercenaries, in particular against developing countries and national liberation movements,

Recalling 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 which 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,

Recalling also its own resolution 1986/26 of 10 March 1986, in which it condemned the increased recruitment, financing, training, assembly, transit and use of mercenaries, as well as other forms of support to mercenaries,

Reaffirming the decision in General Assembly 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, condemning and outlawing mercenarism and its adverse effects on the independence and territorial integrity of African States,

Deeply concerned at the loss of life, the substantial damage to property and the long-term negative effects on the economy of southern African countries 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,

Taking note of Economic and Social Council resolution 1986/43 of 23 May 1986, in which the Council urged the Commission on Human Rights to appoint a special rapporteur on the subject with a view to preparing a report for consideration at the forty-fourth session of the Commission,

Bearing in mind, inter alia, the provisions concerning mercenaries contained in Additional Protocol I of 1977 to the Geneva Conventions of 1949,

1. Decides to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination;
2. Requests the Chairman of the Commission, after consultations with the other members of the Bureau, to appoint an individual of recognized international standing as special rapporteur;
3. Decides further that the Special Rapporteur in carrying out his mandate shall seek and receive credible and reliable information from Governments, as well as specialized agencies, intergovernmental organizations and non-governmental organizations;
4. Requests the Secretary-General to appeal to all Governments to co-operate with and assist the Special Rapporteur in the performance of his duties and to furnish all information requested;
5. Further requests the Secretary-General to provide all necessary assistance to the Special Rapporteur;
6. Requests the Special Rapporteur to submit to the Commission at its forty-fourth session a report on his activities regarding this question;
7. Decides to consider the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination at its forty-fourth session as a matter of high priority under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

52nd meeting
9 March 1987

[Adopted by a roll-call vote of 30 to 11, with
1 abstention. See chap. IX.]

1987/17. 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

The Commission on Human Rights,

Recalling the principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other applicable international instruments in the field of human rights and fundamental freedoms,

Guided by the desire to promote, in accordance with the obligations of States under the Charter of the United Nations, universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion, as well as higher standards of living, full employment, and conditions of economic and social progress and development that foster the greatest possible use of human resources,

Bearing in mind the right of States and their peoples freely to choose and develop their political, social, economic and cultural systems and to determine their laws and regulations,

Recalling General Assembly resolution 41/132 of 4 December 1986, by which the Assembly expressed the conviction that the full enjoyment by everyone of the right to own property alone as well as in association with others, as set forth in article 17 of the Universal Declaration of Human Rights, is of particular significance in fostering widespread enjoyment of other basic human rights and contributes to securing the goals of economic and social development enshrined in the Charter of the United Nations,

Mindful of the deliberations on the right to own property at the seventh, eighth and tenth sessions of the Commission in the course of the consideration by the Commission of the draft covenant on human rights,

Recalling the principles associated with the right of individuals to own property described in the relevant articles of regional human rights instruments of the Organization of American States, the Organization of African Unity and the Council of Europe,

Determined to promote full implementation of existing provisions under relevant international and regional instruments concerning the right of everyone to own property alone as well as in association with others and of the right not to be arbitrarily deprived of one's property,

Conscious that non-implementation of the aforementioned provisions can be a serious impediment to economic and social development,

Reaffirming, in accordance with article 29 of the Universal Declaration of Human Rights, that, in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Recognizing the value of constructive dialogue in the national context on the ways and means by which States can promote the full enjoyment of the right of everyone to own property alone as well as in association with others,

Convinced of the need for the widest possible exchange of views in this field among Governments, specialized agencies, the regional commissions and other competent bodies of the United Nations system,

1. Recognizes that there exist in Member States many forms of legal property ownership, including private, communal, social and State forms, each of which should contribute to ensuring effective development and utilization of human resources through the establishment of sound bases for political, economic and social justice;

2. Considers that further measures may be appropriate at the national level to ensure respect for the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property, as set forth in article 17 of the Universal Declaration of Human Rights;

3. Urges States, therefore, in accordance with their respective constitutional systems, and in accordance with the Universal Declaration of Human Rights, to provide, where they have not done so, adequate constitutional and legal provisions to protect the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property;

4. Affirms, in accordance with article 30 of the Universal Declaration of Human Rights, that nothing in the Declaration, including the right of everyone to own property alone as well as in association with others, may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth therein;

5. Notes that General Assembly resolution 41/132 calls for a report by the Secretary-General that will take into account the views of Member States, specialized agencies and other competent bodies of the United Nations system, within existing resources, on:

(a) The relationship between the full enjoyment by individuals of human rights and fundamental freedoms, in particular the right of everyone to own property alone as well as in association with others as set forth in article 17 of the Universal Declaration of Human Rights, and the economic and social development of Member States;

(b) The role of the right of everyone to own property alone as well as in association with others, as set forth in article 17 of the Universal Declaration, in ensuring the full and free participation of individuals in the economic and social systems of States;

6. Appeals to Member States, specialized agencies and other competent bodies of the United Nations system to respond as constructively and as factually as possible to the invitation in General Assembly resolution 41/132 to communicate to the Secretary-General their views on the subject of his report;

7. Invites Member States, specialized agencies and other competent bodies of the United Nations system, as well as interested non-governmental organizations, to give careful consideration to the report of the Secretary-General;

8. Decides to consider at its forty-fourth session the question of 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 under the agenda item 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".

54th meeting
10 March 1987

[Adopted by a roll-call vote of 30 to none, with
11 abstentions. See chap. VIII.]

1987/18. The impact of property on the economic and social
development of Member States

The Commission on Human Rights,

Recalling the Universal Declaration of Human Rights, the Declaration on Social Progress and Development and the Declaration on the Right to Development, which assign property a role in the implementation of human rights and fundamental freedoms,

Mindful of the obligations of States under the Charter of the United Nations to promote higher standards of living, full employment, and conditions of economic and social progress and development; solutions of international economic, social, health, and related problems; and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Recalling General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, 3281 (XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States, 3362 (S-VII) of 16 September 1975, on development and international

economic co-operation, and 35/56 of 5 December 1980, the annex to which contains the International Development Strategy for the Third United Nations Development Decade,

Recognizing further that the right of peoples to self-determination includes the exercise of their inalienable right to full sovereignty over all their natural wealth and resources,

Convinced that social justice is a prerequisite for lasting peace and that man can achieve complete fulfilment of his aspirations only within a just social order,

Convinced also that international social development can be promoted by peaceful coexistence, friendly relations and co-operation among States with different social, economic or political systems,

Reaffirming, in accordance with article 28 of the Universal Declaration of Human Rights, that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized,

Bearing in mind that in no case may human rights and fundamental freedoms be exercised contrary to the purposes and principles of the United Nations or to the rights and freedoms of others,

Recalling General Assembly resolution 34/137 of 14 December 1979 on the role of the public sector in promoting the economic development of developing countries, in which the Assembly emphasized the importance of an efficient public sector in the development process,

Reaffirming, in accordance with article 6 of the Declaration on Social Progress and Development, that social progress and development require the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property, of forms of ownership of land and of the means of production which preclude any kind of exploitation of man, ensure equal rights to property for all and create conditions leading to genuine equality among people,

1. Reaffirms the obligation of States to take effective steps with a view to achieving the full realization of civil, political, economic, social and cultural rights;

2. Recognizes that there exist in Member States many forms of legal property ownership, including private, communal and State forms, each of which should contribute to ensuring the effective development and utilization of human resources through the establishment of sound bases for political, economic and social justice;

3. Calls upon States to ensure that their national legislation with regard to all forms of property precludes any impairment of the enjoyment of human rights and fundamental freedoms, without prejudice to their right freely to choose and develop their political, social, economic and cultural systems;

4. Urges transnational corporations to ensure that their activities do not adversely affect the process of implementing human rights in developing countries;

5. Vigorously condemns the transnational corporations which maintain or continue to increase their collaboration with the racist régime of South Africa, thus encouraging that régime to persist in its inhuman and criminal policy of brutal oppression of the peoples of southern Africa and denial of their human rights and becoming accomplices in the inhuman practices of racial discrimination, colonialism and apartheid;

6. Decides to consider at its forty-fourth session the influence of various forms of property on the enjoyment of human rights and fundamental freedoms.

54th meeting

10 March 1987

[Adopted by a roll-call vote of 28 to 11, with
2 abstentions. See chap. VIII.]

1987/19. Realization of economic, social and cultural rights

The Commission on Human Rights,

Recalling its resolutions 4 (XXXIII) of 21 February 1977, 1985/42 of 14 March 1985 and 1986/15 of 10 March 1986 on the realization of economic, social and cultural rights,

Taking note of General Assembly resolutions 40/114 of 13 December 1985 and 41/117 of 4 December 1986, in which the Assembly requested the Commission to continue its consideration of the realization of economic, social and cultural rights and to submit to the General Assembly at its forty-second session, through the Economic and Social Council, its views and recommendations on these human rights,

Mindful of the obligation of States under the Charter of the United Nations to promote social progress and better standards of life in larger freedom and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Noting that, in accordance with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights,

Recalling the Proclamation of Teheran of 1968, according to which human rights and fundamental freedoms are indivisible, the full realization of civil and political rights without the enjoyment of economic, social and cultural rights is impossible and the achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic and social development,

Reaffirming the provisions of General Assembly resolution 32/130 of 16 December 1977, and convinced that the promotion and protection of one category of rights can never exempt or excuse States from the promotion and protection of the other rights,

Recalling also that the Declaration on Social Progress and Development provides that social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice,

Recognizing that colonialism, neo-colonialism, aggression and threats against national sovereignty, national unity and territorial integrity, foreign occupation, racism, apartheid and all forms of discrimination and domination, as well as the refusal to recognize the fundamental right of peoples to self-determination and of every nation to exercise full sovereignty over its national wealth and resources, still constitute essential obstacles to the full realization of human rights and fundamental freedoms,

Reaffirming that there is a close relationship between disarmament and development, that progress in the field of disarmament would considerably promote progress in the field of development and that resources released through disarmament measures should be devoted to the economic and social development and well-being of all peoples, in particular those of the developing countries,

Convinced that equal attention and urgent consideration should be given to the implementation, promotion and protection of both civil and political and economic, social and cultural rights,

Recognizing also that the implementation of the Declaration on the Right to Development will promote the enjoyment of economic, social, cultural, civil and political rights,

Concerned at the serious situation with regard to the implementation of economic, social and cultural rights in some parts of the world,

Mindful that the implementation and promotion of economic, social and cultural rights and the obstacles to their realization have not received sufficient attention within the framework of the United Nations system,

1. Appeals to all States to pursue policies directed towards the implementation, promotion and protection of economic, social, cultural, civil and political rights;

2. Calls upon all States to co-operate with each other in promoting social progress and better standards of life in larger freedom;

3. Welcomes the establishment by the Economic and Social Council of the Committee on Economic, Social and Cultural Rights, which will be entrusted as of 1987 with the important task of examining the implementation of the International Covenant on Economic, Social and Cultural Rights;

4. Urges once again the Sub-Commission on Prevention of Discrimination and Protection of Minorities to pursue the study on the right to food as a matter of priority and to submit it to the Commission as soon as possible;

5. Takes note of the report of the Secretary-General to the Commission at its forty-third session (E/CN.4/1987/9);

6. Requests the Secretary-General to invite Governments, United Nations organs, specialized agencies and non-governmental organizations which have not yet done so to comment on their policies for the implementation, promotion and protection of economic, social and cultural rights and to submit a report thereon to the Commission at its forty-fourth session;

7. Requests the Sub-Commission to examine the conclusions and recommendations of the report of the Commission entitled The Realization of Economic, Social and Cultural Rights: Problems, Policies, Progress and to submit to the Commission at its forty-fourth session a proposed timetable for updating these conclusions and recommendations, taking into account the activities of the specialized agencies, other United Nations bodies and organs, other intergovernmental organizations, Governments and non-governmental organizations and keeping in mind the importance of maintaining a specific human rights focus in examining the issues raised in this report;

8. Further requests the Sub-Commission to consider, in accordance with its resolution 1983/35 of 6 September 1983, the preparation of a study on the impact on human rights of the policies and practices of the major international financial institutions, most notably the International Monetary Fund and the World Bank;

9. Requests the Secretary-General to submit a report to the Commission at its forty-fifth session, based on the views of Governments, United Nations organs, specialized agencies and non-governmental organizations, on proposals for more effective implementation of the promotion and protection of economic, social and cultural rights as embodied in the International Covenant on Economic, Social and Cultural Rights.

54th meeting
10 March 1987

[Adopted by a roll-call vote of 27 to 10, with
5 abstentions. See chap. VIII.]

1987/20. 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 Commission on Human Rights,

Recalling that the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and have determined to promote social progress and better standards of life in larger freedom,

Mindful that the Universal Declaration of Human Rights provides that all persons are entitled to realization of the economic, social and cultural rights which are indispensable to their dignity and the free development of their personality,

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other,

Aware that, despite progress achieved by the international community with respect to the setting of standards for the realization of the economic, social and cultural rights contained in the International Covenant on Economic, Social and Cultural Rights, much remains to be done with regard to their implementation,

Recalling the essential importance of national efforts and international co-operation based on free consent to the realization of the right of all persons to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to a continuous improvement in living conditions,

Recognizing that popular participation in its various forms is an important factor in development and in the full realization of all human rights,

Recalling its resolution 1986/13 of 10 March 1986,

Recalling also General Assembly resolution 41/121 of 4 December 1986, which refers to the reform and rationalization of reporting obligations to the United Nations human rights treaty bodies, including the Committee on Economic, Social and Cultural Rights,

Recalling further General Assembly resolution 41/128 of 4 December 1986, by which the Assembly adopted the Declaration on the Right to Development,

Welcoming recent efforts to accord intensive study to the International Covenant on Economic, Social and Cultural Rights and underlining the importance of further multidisciplinary analysis of this instrument,

Taking note of the studies of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in the field of economic, social and cultural rights,

Conscious of the need to secure full respect for the rights contained in the International Covenant on Economic, Social and Cultural Rights, including the rights of individuals belonging to vulnerable and disadvantaged groups,

Reaffirming the importance of public information activities, including education programmes, for the effective promotion and protection of economic, social and cultural rights, and the role that non-governmental organizations can play in this regard,

1. Encourages States parties to the International Covenant on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and regional commissions to extend their full support and co-operation to the Committee on Economic, Social and Cultural Rights;

2. Renews its invitation to that Committee to consider as a matter of priority the development of general guidelines for the preparation of reports pursuant to articles 16 and 17 of the Covenant, taking into account the compilation of guidelines prepared by the Secretary-General and the proposal that brief country profiles be prepared containing information on the geography, population, economic situation and legal framework of States parties;

3. Invites States parties to the International Covenant on Economic, Social and Cultural Rights to review the processes followed in the preparation of their periodic reports on implementation of the Covenant, including consultation with relevant government departments and agencies, compilation of data and training of staff, with a view to improving the quality of such reports;

4. Affirms that full respect for the rights contained in the International Covenant on Economic, Social and Cultural Rights is inextricably linked with the process of development, the central purpose of which is the realization of the potentialities of the human person in harmony with the community, and that full and sustained implementation of the Covenant requires the effective participation of all members of society in relevant decision-making processes as agents and beneficiaries of development, as well as fair distribution of the benefits of development;

5. Emphasizes the direct relevance of the work of the Committee on Economic, Social and Cultural Rights to activities being undertaken throughout the United Nations system in the field of economic, social and cultural development and the need to improve co-ordination of these activities;

6. Urges the Economic and Social Council, in reviewing its activities pursuant to General Assembly resolution 41/213 of 19 December 1986, to bear in mind its central responsibility in relation to the implementation of the International Covenant on Economic, Social and Cultural Rights;

7. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-ninth session to take stock of its various studies on economic, social and cultural rights and, taking into account the results of the first meeting of the Committee on Economic, Social and Cultural Rights, to make recommendations to the Commission at its forty-fourth session on how to promote more effectively the implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights through United Nations development and other activities.

54th meeting

10 March 1987

[Adopted without a vote. See chap. VIII.]

1987/21. Popular participation in its various forms as an important factor in development and in the full realization of all human rights

The Commission on Human Rights,

Recalling General Assembly resolutions 32/130 of 16 December 1977, 34/46 of 23 November 1979, 37/55 of 3 December 1982, 38/24 of 22 November 1983 and 40/99 of 13 December 1985, in which the General Assembly requested the Commission on Human Rights to continue to consider the question of popular participation in its various forms as an important factor in development and in the full realization of all human rights,

Recalling its resolution 1983/14 of 22 February 1983 and Economic and Social Council resolution 1983/31 of 27 May 1983,

Recalling further its resolution 1984/15 of 6 March 1984 and Economic and Social Council decision 1984/131 of 24 May 1984,

Recalling also its resolutions 1985/44 of 14 March 1985 and 1986/14 of 10 March 1986, in which it invited comments on the study on popular participation in its various forms as an important factor in development and in the full realization of all human rights (E/CN.4/1985/10 and Add.1 and 2) from Governments, United Nations organs, specialized agencies and non-governmental organizations, and requested the Secretary-General to submit a report containing the comments received for consideration by the Commission at its forty-third session,

1. Takes note with appreciation of the report by the Secretary-General (E/CN.4/1987/11);

2. Invites Governments, United Nations organs, specialized agencies and non-governmental organizations which have not yet done so to make their comments on the study on popular participation in its various forms as an important factor in development and in the full realization of all human rights;

3. Requests the Secretary-General to submit a report containing comments made by Governments, United Nations organs, specialized agencies and non-governmental organizations for consideration by the Commission at its forty-fourth session;

4. Further requests the Secretary-General to prepare a study of laws and practices by countries regarding the question of the extent to which the right to participation has been established and has evolved at the national level;

5. Requests the Secretary-General to submit the study referred to in paragraph 4 above to the Commission on Human Rights at its forty-fifth session;

6. Decides to continue consideration of this question at its forty-fourth session under a sub-item of the agenda entitled "Popular participation in its various forms as an important factor in development and in the full realization of all human rights".

54th meeting
10 March 1987

[Adopted without a vote. See chap. VIII.]

1987/22. Realization of the right to adequate housing

The Commission on Human Rights,

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,

Bearing in mind that the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights 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 contained in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Noting also that the United Nations Centre for Human Settlements (Habitat) has been designated as the body responsible for organizing the International Year of Shelter for the Homeless,

Referring to its resolution 1986/36 of 12 March 1986,

Taking into account Economic and Social Council resolution 1986/41 of 23 May 1986,

Taking into account also General Assembly resolution 41/146 of 4 December 1986, in which the Assembly requested the Commission on Human Rights to give special attention to the question of the realization of the right to adequate housing during 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 need to take appropriate measures, at the national and international levels, for promoting 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;
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 reflect the measures they have taken for the realization of the right to adequate housing;
5. Urges all States to co-operate with the United Nations Centre for Human Settlements (Habitat) in observing, as appropriate, the International Year of Shelter for the Homeless;
6. Requests that the Secretary-General give due attention to the question of promoting the right to adequate housing in the information he is to provide to the General Assembly on the realization of the objectives of the International Year of Shelter for the Homeless and that he transmit this information to the Commission at its forty-fourth session.

54th meeting
10 March 1987

[Adopted by a roll-call vote of 40 to none, with
2 abstentions. See chap. VIII.]

1987/23. The right to development

The Commission on Human Rights,

Recalling the resolutions of the General Assembly and the Commission on Human Rights relating to the right to development,

Noting the proclamation by the General Assembly of the Declaration on the Right to Development annexed to its resolution 41/128 of 4 December 1986,

Mindful that, pursuant to the proclamation of the Declaration on the Right to Development, the Commission is entering a new phase of its deliberations on this matter, directed towards implementation of the Declaration,

Aware of the great interest shown by several States Members of the United Nations, specialized agencies and non-governmental organizations which desire to contribute to the work of the Working Group of Governmental Experts on the Right to Development,

1. Takes note with appreciation of the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1987/10);

2. Requests the Secretary-General to transmit that report to the General Assembly at its forty-second session;

3. Agrees that future work on the question of the right to development should proceed step by step and in stages;

4. Further agrees to request the Secretary-General to circulate the Declaration on the Right to Development and the report of the Working Group of Governmental Experts on the Right to Development to all Governments, United Nations organs and specialized agencies and other governmental and non-governmental organizations, in all the official languages of the United Nations, inviting them as a matter of urgency and high priority to offer their comments and views on the subject of the implementation of the Declaration on the Right to Development;

5. Also requests the Secretary-General to take the necessary steps to ensure that an analytical compilation of all replies received is circulated to Governments and other interested parties well in advance of the next meeting of the Working Group of Governmental Experts on the Right to Development;

6. Decides to convene the Working Group for two weeks in January 1988;

7. Directs the Working Group, at its eleventh session, to study the analytical compilation referred to in paragraph 5, if necessary together with the individual replies themselves, and to submit to the Commission, at its forty-fourth session, its recommendations as to which proposals would best contribute to the further enhancement and implementation of the Declaration on the Right to Development, at the individual, national and international level, as well as to consider further recommendations to the Commission at its forty-fourth session on practical measures to implement the Declaration on the Right to Development, including specific proposals concerning future work;

8. Decides to consider at its forty-fourth session the question of the further activities and the possible enlargement of the Working Group, taking into account the interest of States in this subject;

9. Requests the Secretary-General to provide all necessary assistance to the Working Group;

10. Decides to consider this question as a matter of high priority at its forty-fourth session.

54th meeting
10 March 1987

[Adopted without a vote. See chap. VIII.]

1987/24. Setting international standards in the field of human rights

The Commission on Human Rights,

Bearing in mind the extensive network of international standards in the field of human rights, notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which it and other United Nations bodies, including the specialized agencies, have established,

Recalling General Assembly resolution 41/120 of 4 December 1986,

Recognizing that international standard-setting in the field of human rights should proceed with adequate preparation and appropriate support from the Secretariat of the United Nations,

Reaffirming its important role in strengthening and developing the international framework of instruments in the field of human rights,

1. Calls upon Member States and United Nations bodies to accord priority to the implementation of existing international standards in the field of human rights and urges broad ratification of, or accession to, existing treaties in this field;

2. Invites Member States participating in those of its working groups which are engaged in developing international instruments in the field of human rights, as well as the Sub-Commission on Prevention of Discrimination and Protection of Minorities, when engaged in such work, to bear in mind the guidelines established in General Assembly resolution 41/120;

3. Requests the Secretary-General to bring General Assembly resolution 41/120 to the attention of all bodies of the United Nations system engaged in international standard-setting in the field of human rights.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XVIII.]

1987/25. Status of the Convention on the Prevention and Punishment of the Crime of Genocide

The Commission on Human Rights,

Recalling General Assembly resolutions 40/142 of 13 December 1985 and 41/147 of 4 December 1986,

Also recalling its resolution 1986/18 of 10 March 1986,

Further recalling General Assembly resolution 260 A (III) of 9 December 1948, in which the Assembly approved the Convention on the Prevention and Punishment of the Crime of Genocide and proposed it for signature and ratification or accession,

Reaffirming its conviction that genocide is a crime which violates the norms of international law and runs counter to the spirit and aims of the United Nations,

Expressing its conviction that strict observance by all States of the provisions of the Convention is necessary for the prevention and punishment of the crime of genocide,

1. Strongly condemns once again the crime of genocide;
2. Affirms the necessity of international co-operation in order to liberate mankind from this odious crime;
3. Takes note with appreciation of the fact that 96 States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or acceded thereto;
4. Urges those States that have not yet become parties to the Convention to ratify it or accede thereto without further delay.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XVIII.]

1987/26. Status of the International Covenants on Human Rights

The Commission on Human Rights,

Mindful that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, form the heart of the International Bill of Human Rights,

Recalling its resolution 1986/17 of 10 March 1986 and General Assembly resolution 41/119 of 4 December 1986,

Calling attention to the fact that 1986 marked the twentieth anniversary of the adoption of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Having considered the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (A/41/509),

Noting in this regard that only half of the States Members of the United Nations have acceded to the International Covenants on Human Rights,

Bearing in mind the important responsibilities of the Economic and Social Council in relation to the co-ordination of activities undertaken in accordance with the International Covenants on Human Rights,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. Appeals strongly to all States that have not yet become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights to do so, as well as to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights, so that these instruments acquire genuine universality;

3. Invites the Secretary-General to intensify systematic efforts to encourage States to become parties to the International Covenants and, through the programme of advisory services in the field of human rights, to provide technical assistance to the States that are not parties to the Covenants, with a view to assisting them to ratify them or accede thereto;

4. Again invites the States parties to the International Covenant on Civil and Political Rights which have not yet done so to consider making the declaration provided for in article 41 of the Covenant;

5. Emphasizes the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocol to the International Covenant on Civil and Political Rights;

6. Stresses to States parties the importance of avoiding the erosion of human rights by derogation and underlines the necessity for strict observance of the agreed condition and procedure for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency, so that the justification and appropriateness of measures taken in these circumstances can be assessed;

7. Recommends to States parties that they periodically review any reservations made in respect of the provisions of the International Covenants on Human Rights to ascertain whether they should be maintained;

8. Recognizes the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocol thereto, expresses its satisfaction with the serious and constructive manner in which the Committee is continuing to undertake its functions and requests the Secretary-General to continue to transmit the general comments of the Human Rights Committee to the Commission on Human Rights on a regular basis;

9. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and appeals to other bodies dealing with similar questions of human rights to respect these uniform standards as expressed in the general comments of the Human Rights Committee;

10. Welcomes the decision of the Economic and Social Council, in its resolution 1985/17 of 28 May 1985, to establish the Committee on Economic, Social and Cultural Rights, which, as of 1987, is entrusted with the important task of overseeing the implementation of the International Covenant on Economic, Social and Cultural Rights;

11. Encourages the Committee on Economic, Social and Cultural Rights to strive towards the application of universally recognized criteria in the implementation of the Covenant;

12. Requests the Secretary-General to consider ways and means, within existing resources, of assisting States parties to the Covenants in the preparation of their reports, including the awarding of fellowships to government officials engaged in the preparation of such reports, the organization of regional and subregional training courses and the exploration of other possibilities available under the programme of advisory services in the field of human rights;

13. Again urges the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps within existing resources to give more publicity to the work of the Human Rights Committee and, similarly, to the work of the Economic and Social Council and the Committee on Economic, Social and Cultural Rights, and to improve the administrative and related arrangements to enable them to carry out their respective functions effectively under the International Covenants on Human Rights;

14. Encourages once again all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights in as many languages as possible and to distribute them and make them known as widely as possible;

15. Requests the Secretary-General to ensure that the Human Rights Committee and the Committee on Economic Social and Cultural Rights, which have important and specific tasks entrusted to them, are provided with the necessary sessions and summary records;

the
and
satisfaction the publication of the first volumes of the
ds of the Human Rights Committee and looks forward to the
further volumes;

As the Secretary-General to submit to the Commission on Human
forty-fourth session, a report on the status of the
Covenant on Economic, Social and Cultural Rights, the
International Covenant on Civil and Political Rights and the Optional Protocol
International Covenant on Civil and Political Rights, including all
ions and declarations, and to include in that report information on
the of the Economic and Social Council and the Committee on Economic,
Social and Cultural Rights;

18. Decides to consider at its forty-fourth session an agenda item
entitled "Status of the International Covenants on Human Rights".

54th meeting
10 March 1987

[Adopted without a vote. See chap. XVIII.]

1987/27. Question of enforced or involuntary disappearances

The Commission on Human Rights,

Bearing in mind General Assembly resolution 33/173 of 20 December 1978,
in which the Assembly requested the Commission on Human Rights to consider the
question of disappeared persons with a view to making appropriate
recommendations, and all other United Nations resolutions concerning missing
or disappeared persons,

Convinced of the need to continue the implementation of the provisions of
General Assembly resolution 33/173 and of the other United Nations resolutions
on the question of enforced or involuntary disappearances,

Recalling its resolution 20 (XXXVI) of 29 February 1980, by which it
decided to establish a working group consisting of five of its members, to
serve as experts in their individual capacity, to examine questions relevant
to enforced or involuntary disappearances, and its resolution 1986/55 of
13 March 1986,

Recalling General Assembly resolution 41/145 of 4 December 1986, in which
the Assembly welcomed the decision of the Commission on Human Rights to extend
for two years, on an experimental basis, the term of the mandate of the
Working Group on Enforced or Involuntary Disappearances, while maintaining the
principle of annual reporting by the Group,

Profoundly concerned at the fact that the practice of enforced or
involuntary disappearances continues in various regions of the world, and at
the fact that the families of disappeared persons often suffer intimidation
and ill-treatment,

Having considered the report of the Working Group (E/CN.4/1987/15 and
Corr.1 and Add.1),

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for the way in which it has done its work, and thanks it for submitting to the Commission at its forty-third session a report in accordance with its resolution 1986/55;

2. Requests the Working Group to submit to the Commission, at its forty-fourth session, a report on its work, together with its conclusions and recommendations, and to bear in mind the obligation to discharge its mandate with discretion, so as, inter alia, to protect persons providing information or to limit the dissemination of information provided by Governments;

3. Requests the Working Group, in its efforts to help eliminate the practice of enforced or involuntary disappearances, to present to the Commission all appropriate information it deems necessary and all concrete suggestions and recommendations regarding the fulfilment of its task;

4. Reminds the Working Group of the need to observe, in its humanitarian task, United Nations standards and practices regarding the receipt of communications, their consideration, their transmittal to Governments and their evaluation;

5. Urges the Governments concerned, in particular those which have not yet responded to communications transmitted to them by the Working Group, to co-operate with and assist the Working Group so that it may carry out its mandate effectively, and in particular to answer expeditiously requests for information addressed to them by the Working Group;

6. Urges the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subject;

7. Renews its request to the Secretary-General to invite the Governments of countries in which there are numerous cases of disappearance to envisage the establishment of a national body to investigate reports of disappeared persons;

8. Encourages Governments which might receive such a request to consider with special attention the wish of the Working Group, when such a wish is expressed, to visit their country, thus enabling the Working Group to fulfil its mandate even more effectively;

9. Thanks the Governments which have invited the Working Group;

10. Requests the Secretary-General to ensure that the Working Group receives all necessary assistance, in particular the staff and resources it requires to perform its functions, in particular in carrying out missions or holding sessions in countries which would be prepared to receive them;

11. Decides to consider this question at its forty-fourth session in accordance with its resolution 1986/55, under a sub-item of the agenda entitled "Question of enforced or involuntary disappearances".

54th meeting
10 March 1987

[Adopted without a vote. See chap. X.]

1987/28. Hostage-taking

The Commission on Human Rights,

Recalling its resolution 27 (XXXVII) of 11 March 1981, in which it affirmed that the taking of hostages constituted a grave violation of human rights, exposing the hostages to privation, hardship, anguish and danger to life and health,

Recalling its resolution 1986/49 of 12 March 1986, in which it condemned the taking of any person hostage,

Bearing in mind, among other things, Security Council resolution 579 (1985) of 18 December 1985 on hostage-taking, as well as the statement made by the President of the Security Council on 28 January 1987 (S/18641), again condemning all cases of hostage-taking,

Considering that everyone has the right to life, liberty and security and that hostage-taking is a serious violation of fundamental rights and of the dignity of the human being,

Considering that arbitrary detention of persons is an unquestionable violation of human rights,

Alarmed by the growing number of cases of hostage-taking throughout the world, some of which have been going on for a long time, and by the odious practice they constitute,

Noting with concern the increasing number of instances of hostage-taking, more and more often involving nationals of States chosen in order to put pressure on those States or on third parties,

Expressing its distress at these unacceptable displays of violence towards innocent victims and at the anxiety and suffering of the families concerned,

1. Strongly condemns, whoever those responsible and whatever the circumstances, the taking of any person hostage, whether or not he is chosen at random and whatever is his nationality;

2. Censures the actions of all persons responsible for taking hostages, whatever their motives, and demands that they should immediately release those they are holding;

3. Calls upon States to take any measures necessary to prevent and punish the taking of hostages and to put an immediate end to cases of abduction and unlawful restraint on their territory;

4. Requests the Secretary-General, whenever so requested by a State, to employ all means at his disposal in order to secure the immediate release of persons held hostage;

5. Decides to remain seized of this question at its forty-fourth session.

54th meeting
10 March 1987

[Adopted without a vote. See chap. X.]

1987/29. Torture and other cruel, inhuman or degrading treatment or punishment

The Commission on Human Rights,

Having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly by its resolution 3452 (XXX) of 9 December 1975,

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Welcoming the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly by its resolution 39/46 of 10 December 1984,

Recalling its resolutions 1985/33 of 13 March 1985, by which it decided to appoint for one year a special rapporteur to examine questions relevant to torture, and 1986/50 of 13 March 1986, by which it decided to continue the mandate of the Special Rapporteur for another year,

Recognizing that torture constitutes a criminal obliteration of the human personality which can never be justified under any circumstances, by any ideology or overriding interest,

Determined to promote the full implementation of the prohibition under international and national law of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Convinced that a society that tolerates torture can never claim to respect human rights,

Convinced that efforts to eradicate torture should first and foremost be concentrated on prevention,

Recalling General Assembly resolution 37/194 of 18 December 1982, by which the Assembly adopted the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,

1. Commends the Special Rapporteur for his report (E/CN.4/1987/13);
2. Takes note of the conclusions and recommendations of the Special Rapporteur pertaining to a system of periodic visits and to the establishment at the national level of an independent authority which can receive complaints by individuals;
3. Underlines the recommendation of the Special Rapporteur that Governments and medical associations should take strict measures against all persons belonging to the medical profession who have in that capacity had a function in the practice of torture;
4. Underlines also the conclusion of the Special Rapporteur stressing the importance of limiting the period of incommunicado detention under national law;
5. Endorses the recommendation of the Special Rapporteur to all States to sign and to ratify as soon as possible the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
6. Emphasizes the importance of training programmes for law and security personnel;
7. Decides to continue the mandate of the Special Rapporteur for another year, in order to enable him to submit further conclusions and recommendations to the Commission;
8. Decides further that the Special Rapporteur, in carrying out his mandate, shall continue to seek and receive credible and reliable information from Governments, as well as specialized agencies, intergovernmental organizations and non-governmental organizations;
9. Requests the Secretary-General to appeal to all Governments to co-operate with and assist the Special Rapporteur in the performance of his tasks and to furnish all information requested;
10. Further requests the Secretary-General to provide all necessary assistance to the Special Rapporteur;

11. Invites the Special Rapporteur, in carrying out his mandate, to bear in mind the need to be able to respond effectively to credible and reliable information that comes before him and to carry out his work with discretion;

12. Requests the Special Rapporteur to submit a comprehensive report to the Commission at its forty-fourth session on his activities regarding the question of torture, including the occurrence and extent of its practice, together with his conclusions and recommendations;

13. Decides to consider this question again at its forty-fourth session under the appropriate sub-item of the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

54th meeting

10 March 1987

[Adopted without a vote. See chap. X.]

1987/30. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The Commission on Human Rights,

Recalling article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, which state that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Recalling further General Assembly resolution 39/46 of 10 December 1984, by which the Assembly adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority,

Bearing in mind its resolution 1986/47 of 12 March 1986 and General Assembly resolution 41/134 of 4 December 1986,

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Determined to promote full implementation of the prohibition, under international and national law, of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Recalling its decision, in resolution 1985/33 of 13 March 1985, to appoint a special rapporteur to examine questions relevant to torture,

1. Takes note of the report (E/CN.4/1987/14) of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. Expresses its appreciation to those States that have ratified the Convention;

3. Reiterates its request to all States that have not yet done so to sign and ratify the Convention as a matter of priority, with a view to an early entry into force of the Convention;

4. Invites all States ratifying or acceding to the Convention and those States parties which have not yet done so to consider the possibility of making the declarations provided for in articles 21 and 22 of the Convention;

5. Requests the Secretary-General to continue submitting to the General Assembly and to the Commission on Human Rights annual reports on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

6. Decides to consider the report of the Secretary-General at its forty-fourth session under the sub-item of the agenda entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

54th meeting

10 March 1987

[Adopted without a vote. See chap. X.]

1987/31. United Nations Voluntary Fund for Victims of Torture

The Commission on Human Rights,

Recalling article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, which state that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling further General Assembly resolution 36/151 of 16 December 1981, in which the Assembly noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims of torture in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture, as well as General Assembly resolution 41/135 of 4 December 1986,

Reaffirming the importance of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Recalling its resolution 1986/50 of 13 March 1986, by which it decided to continue for another year the mandate of the Special Rapporteur to examine questions relevant to torture,

Bearing in mind its resolution 1986/48 of 12 March 1986,

Convinced that the struggle to eliminate torture includes the provision of assistance in a humanitarian spirit to the victims and their families,

Taking note of the information provided by the Secretary-General on the activities of the United Nations Voluntary Fund for Victims of Torture (A/41/706),

Noting the statement of the Board of Trustees concerning the desirability of receiving contributions from Governments on a regular basis, which, inter alia, would prevent the interruption of programmes that the Fund has been instrumental in bringing into existence,

Noting with satisfaction that international centres for rehabilitation of torture victims have been established and play an important role in providing assistance to victims of torture,

Noting in this regard the collaboration of the Fund with the international centres for rehabilitation,

1. Expresses its appreciation to the Board of Trustees of the Fund for the work it has carried out;
2. Expresses its gratitude and appreciation to those Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;
3. Appeals to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund, if possible on a regular basis;
4. Renews its request to the Secretary-General to transmit to all Governments the Commission's appeal for contributions to the Fund;
5. Requests again the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund, inter alia through the preparation, production and dissemination of information material, in its efforts to make the Fund and its humanitarian work better known;
6. Further requests the Secretary-General to keep the Commission informed of the operations of the Fund on an annual basis.

54th meeting
10 March 1987

[Adopted without a vote. See chap. X.]

1987/32. Right to freedom of expression and opinion

The Commission on Human Rights,

Guided by the Universal Declaration of Human Rights, which affirms the right to freedom of opinion and expression,

Bearing in mind the International Covenant on Civil and Political Rights, which reaffirms, in article 19, the right of everyone to hold opinions without interference, as well as the right to freedom of expression, and that the exercise of the right carries with it special duties and responsibilities and may therefore be subject to certain restrictions, but that these shall only be such as are provided by law and are necessary: (a) for respect of the rights or reputations of others, or (b) for the protection of national security or public order (ordre public), or of public health or morals,

Bearing in mind that the International Covenant on Civil and Political Rights states that any propaganda for war or any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law,

Taking note of resolution 1983/32 of 6 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolutions 1984/26 of 12 March 1984, 1985/17 of 11 March 1985 and 1986/46 of 12 March 1986,

Welcoming releases of persons detained for exercising their right to freedom of opinion and expression and encouraging further progress in this regard in all parts of the world,

Noting the importance and relevance to the protection of the right to freedom of opinion and expression of work being undertaken on the drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect human rights,

Considering that the effective promotion of the human rights of persons who exercise the right to freedom of opinion and expression is of fundamental importance,

1. Expresses its concern at the extensive occurrence in many parts of the world of detention of persons who exercise the right to freedom of opinion and expression as affirmed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;
2. Appeals to all States to ensure respect and support for the rights of all persons who exercise the right to freedom of opinion and expression and, where anyone has been detained solely for exercising the right to freedom of opinion and expression as laid down in the International Covenant on Civil and Political Rights, to release them immediately;

3. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue to consider, within the framework of its mandate, the right to freedom of opinion and expression as laid down in the International Covenant on Civil and Political Rights;

4. Affirms that further measures may be required at national and international levels to ensure the respect of the right to freedom of opinion and expression;

5. Calls upon States that have not yet done so to take steps to allow the full realization of the right to freedom of opinion and expression in their territory;

6. Decides to review this matter at its forty-fourth session with a view to promoting respect for the right to freedom of opinion and expression.

54th meeting
10 March 1987

[Adopted without a vote. See chap. X.]

1987/33. Human rights in the administration of justice

The Commission on Human Rights,

Guided by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights, as well as the relevant provisions of the International Covenant on Civil and Political Rights, in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life,

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

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

Considering the importance of progress with regard to the Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,

Further calling attention to proposals for the elaboration of a second Optional Protocol to the International Covenant on Civil and Political Rights on the elimination of the death penalty, as well as to the prohibition under article 6 of the International Covenant on Civil and Political Rights of the imposition of the death penalty for crimes committed by persons below 18 years of age,

Acknowledging the important work accomplished by the Committee on Crime Prevention and Control at its ninth session and welcoming the recommendations made by the Economic and Social Council in its resolution 1986/10 of 21 May 1986 concerning more effective implementation of the international standards in the field of administration of justice,

Further guided by General Assembly resolutions 2858 (XXVI) of 20 December 1971, 3144 (XXVIII) of 14 December 1973, 40/146 of 13 December 1985 and 41/149 of 4 December 1986 on human rights in the administration of justice,

Convinced of the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice, in particular among its relevant mechanisms such as special rapporteurs or working groups,

Conscious in this regard of the need to respond to the recommendations of the Group of High-level Intergovernmental Experts to Review the Efficiency and Effectiveness of the Administrative and Financial Functioning of the United Nations,

1. Reiterates its call upon Member States to spare no effort in providing for effective legislative and other mechanisms and procedures and adequate resources to ensure more effective implementation of existing international standards relating to human rights in the administration of justice;
2. Emphasizes the importance of education and public information programmes in the field of human rights for law students, the legal profession and all those responsible for the administration of justice;
3. Recognizes the important role that non-governmental organizations, including professional associations of lawyers and judges, can play in promoting human rights in the administration of justice;
4. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to give urgent consideration to the issue of the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, taking into account the report of its Special Rapporteur on this subject, with a view to making recommendations to the Commission at its forty-fourth session;
5. Also requests the Sub-Commission, taking into account Commission decision 1986/106 of 13 March 1986, to give further attention to the question of a declaration against unacknowledged detention of persons, as well as to the question of states of siege or emergency, in accordance with decision 1986/104 of 12 March 1986;
6. Further requests the Sub-Commission to give due attention to the various standards adopted in this field, in particular by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, with a view to making recommendations to the Commission at its forty-fourth session on measures to be taken for their most effective application;

7. Also requests the Sub-Commission, when carrying out its annual review of the human rights of persons subjected to any form of detention or imprisonment, to include in its consideration the work of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination, the developments elsewhere in the human rights programme and the activities within the United Nations programme on crime prevention and control bearing upon the subject, and requests the Secretary-General to make available to the Sub-Commission succinct information on these matters;

8. Calls upon its special rapporteurs and working groups to give particular attention to questions relating to the effective protection of human rights in the administration of justice, in particular also with regard to unacknowledged detention of persons;

9. Requests the Secretary-General to ensure close co-operation between the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs on matters relating to human rights in the administration of justice;

10. Further requests the Secretary-General, in ensuring the above-mentioned co-operation, to invite the Human Rights Committee and regional human rights institutions established by regional human rights instruments to comment on possible areas of co-operation with human rights bodies of the United Nations system in this field;

11. Invites the Secretary-General to establish a focal point within the Centre for Human Rights to monitor the aspects relating to human rights in the administration of justice within the various elements of the United Nations human rights programme, the programme on crime prevention and control, and the work of the specialized agencies, regional organizations and non-governmental organizations in consultative status, and to provide, as appropriate, advice on co-ordination and other relevant issues in the field;

12. Requests the Secretary-General to continue to assist Member States, at their request, in implementing these standards, in particular under the programme of advisory services;

13. Invites the Economic and Social Council to take into account the provisions of the present resolution and all relevant aspects of the human rights programme of the United Nations when conducting its review of the United Nations programme on crime prevention and control at its first regular session of 1987;

14. Requests the Secretary-General to report to the Commission at its forty-fourth session on the implementation of the present resolution;

15. Decides to consider the question of human rights in the administration of justice at its forty-fourth session under the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

54th meeting
10 March 1987

[Adopted without a vote. See chap. X.]

1987/34. Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Mindful that one of the purposes of the United Nations as embodied in the Charter is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling Economic and Social Council resolution 1982/34 of 7 May 1982, in which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations, with the mandate to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations, giving special attention to the evolution of standards concerning the rights of indigenous populations,

Recalling also its resolution 1986/27 of 11 March 1986, in which it urged the Working Group on Indigenous Populations to intensify its efforts, in carrying out its plan of action, to develop international standards in this field,

Recalling further Sub-Commission resolution 1985/22 of 29 August 1985, whereby the Sub-Commission endorsed the plan of action drawn up by the Working Group for its future work, and the Group's decision to emphasize the part of its mandate related to standard-setting activities,

Mindful of the invitation of the Sub-Commission in resolution 1985/22 to Governments, specialized agencies and non-governmental organizations to comment on the preliminary draft principles prepared by the Working Group at its fourth session.

Bearing in mind that international standards must be developed on the basis of the diverse realities of indigenous populations in all parts of the world,

Recalling General Assembly resolution 40/131 of 13 December 1985, by which the Assembly decided to establish a voluntary fund to facilitate the participation of representatives of indigenous communities and organizations in the deliberations of the Working Group, to be administered by five trustees with relevant experience on issues affecting indigenous populations, who would serve in their personal capacity, and considering the implementation of the criteria outlined in that resolution as a matter of the highest priority,

Conscious that, in various situations, indigenous populations are unable to enjoy their inalienable human rights and fundamental freedoms,

Determined to do everything possible to promote the enjoyment of the rights of indigenous populations,

1. Expresses its appreciation to the Chairman and the other members of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to observers for Governments, non-governmental organizations and, in particular, organizations and communities of indigenous peoples, who met informally at Geneva on 6 and 7 September 1986 to further the work of the Working Group notwithstanding the postponement of its fifth session;

2. Urges the Working Group to intensify its efforts, in carrying out its plan of action, to continue the elaboration of international standards based on a continued and comprehensive review of developments pertaining to the promotion and protection of the human rights of indigenous populations and of the situation and aspirations of indigenous populations throughout the world;

3. Encourages Governments to review and comment upon the preliminary draft principles contained in annex II to the report of the Working Group on its fourth session (E/CN.4/Sub.2/1985/22), as invited by the Sub-Commission;

4. Requests the Secretary-General to give all necessary assistance to the Working Group in discharging its tasks, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies and relevant organizations of indigenous populations, in order to encourage the widest possible participation in its work;

5. Requests the Secretary-General, in consultation with the Chairman of the Sub-Commission, to appoint, without delay, the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations, composed of five persons with relevant experience on issues affecting indigenous populations, who will serve in their personal capacity, in accordance with subparagraph (e) of General Assembly resolution 40/131.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XIX.]

1987/35. Work of the Sub-Commission on Prevention of
Discrimination and Protection of Minorities

The Commission on Human Rights,

Recalling the terms of reference of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and reaffirming, in particular, its own resolutions 1982/23 of 10 March 1982, 1983/22 of 4 March 1983, 1985/28 of 11 March 1985 and 1986/38 of 12 March 1986,

Recalling further General Assembly resolution 41/143 of 4 December 1986,

Convinced that it is essential that the impartiality and objectivity of the Sub-Commission and the independent status of its members and their alternates should be its guiding principles,

Mindful of the important contribution which non-governmental organizations in consultative status with the Economic and Social Council make to the work of the Sub-Commission,

Mindful also of the important contribution which the Sub-Commission itself has made to the work of the Commission,

Expressing its concern at the deferral of the thirty-ninth session of the Sub-Commission as a result of General Assembly decision 40/472 of 9 May 1986, which resulted in the postponement of the consideration of a number of important subjects and entailed particularly serious consequences for the consideration of communications under the procedure established by Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970,

1. Requests the Secretary-General to ensure that the thirty-ninth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the related sessions of the Sub-Commission's working groups will be held, as scheduled, in July and August 1987, thus permitting the continuation of the work of the Sub-Commission and minimizing the disruptive effect of the deferral which occurred in 1986;

2. Further requests the Secretary-General to provide the Sub-Commission and its working groups with the necessary assistance and services, in accordance with established rules and earlier decisions of the Commission and, in particular, to provide the Sub-Commission, as in the past, with summary records;

3. Draws the attention of the Sub-Commission to the guidelines for its future work contained in Commission resolution 1986/38;

4. Invites the Sub-Commission to continue its efforts to provide expert assistance to the Commission in the areas mandated by the Commission, taking into account Commission resolution 1986/38;

5. Decides to consider at its forty-fourth session the report of the Sub-Commission on its thirty-ninth session as a matter of high priority.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XIX.]

1987/36. Situation in Equatorial Guinea

The Commission on Human Rights,

Recalling its resolution 1986/53 of 13 March 1986,

Having taken note of the report of the Secretary-General contained in document E/CN.4/1987/33/Add.2,

Bearing in mind that the Economic and Social Council, in its resolution 1982/36 of 7 May 1982, took note of the plan of action proposed by the United Nations and accepted by the Government of Equatorial Guinea, which was based on recommendations submitted by Mr. Fernando Volio Jiménez, the expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 33 (XXXVI) of 11 March 1980,

Noting that, so far, no reply has been received from the Government of Equatorial Guinea to the various communications sent recently by the Secretary-General with a view to assisting in the implementation of the plan of action,

1. Expresses the hope that the Government of Equatorial Guinea will react as soon as possible to the Secretary-General's note transmitting to that Government the reports and recommendations of the two legal experts who visited Equatorial Guinea in January 1986 (see E/CN.4/1987/33/Add.2, para. 7);

2. Requests the Government of Equatorial Guinea to give appropriate consideration to the implementation of the plan of action proposed by the United Nations, taking particular account of the recommendations and proposals submitted by Mr. Fernando Volio Jiménez;

3. Requests the Secretary-General to continue his contacts with the Government of Equatorial Guinea, with the assistance and advice of the expert, and, bearing in mind the need for early implementation of the plan of action, to explore ways and means of giving appropriate assistance to the Government in the framework of the implementation of the plan;

4. Further requests the Secretary-General to report to the Commission on Human Rights at its forty-fourth session on the implementation of the present resolution.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XXI.]

1987/37. Advisory services in the field of human rights

The Commission on Human Rights,

Recalling General Assembly resolution 41/154 of 4 December 1986, in which the Assembly requested the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations,

Recalling further its resolution 1985/26 of 11 March 1985, in which it encouraged the Secretary-General to continue and enhance his efforts under the programme of advisory services in the field of human rights to provide practical assistance to States in the implementation of international conventions on human rights, particularly the International Covenants on Human Rights, as well as resolution 1986/52 of 13 March 1986,

Taking note with appreciation of the report of the Secretary-General (E/CN.4/1987/33 and Add.1, Add.1/Corr.1 and Add.2) submitted in pursuance of that resolution,

Bearing in mind General Assembly resolution 40/116 of 13 December 1985 and its own resolution 1985/45 of 14 March 1985 which, in view of the alarming number of overdue reports of many States parties to international conventions on human rights, underline the need for increasing training activities under the programme of advisory services on the preparation and submission of reports under these conventions,

Noting the importance of expert services, fellowships and scholarships, training courses and seminars under the programme of advisory services as forms of practical assistance to States in the implementation of international human rights standards and for mutual understanding and co-operation in this field,

Noting with appreciation that a training course for persons involved in the preparation of reports under international conventions on human rights was organized at La Paz, Bolivia, from 19 to 30 May 1986,

Convinced that advisory expert services in the field of human rights, such as those rendered under its resolution 1986/52, constitute a particularly commendable example for future activities under the advisory services programme,

1. Considers that the programme of advisory services in the field of human rights should increasingly be focused on the provision of practical assistance in the implementation of international conventions on human rights to those States which indicate a need for such assistance;
2. Encourages the efforts of the Secretary-General to award human rights fellowships to, and to organize training courses for, persons directly involved in the implementation of international conventions on human rights;
3. Invites competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights and the Committee on the Elimination of Racial Discrimination, to make suggestions and proposals for the implementation of advisory services;
4. Requests its special rapporteurs and representatives as well as the Working Group on Enforced or Involuntary Disappearances to inform Governments, whenever appropriate, of the possibility of availing themselves of the services provided for under the programme of advisory services and to include in their recommendations, whenever appropriate, proposals for specific projects which should be realized under the programme of advisory services;
5. Appeals to all Governments to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

6. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services of experts in the field of human rights, for example for drafting basic legal texts in conformity with international conventions on human rights;

7. Expresses its appreciation to all Governments and intergovernmental and non-governmental organizations which have responded to the Secretary-General's call to provide assistance to States which indicated their need for technical assistance in the field of human rights;

8. Requests the Secretary-General to pursue his efforts to co-ordinate and facilitate the flow of bilateral assistance in such cases;

9. Requests the Secretary-General to report to the Commission at its forty-fourth session on the progress made in the implementation of the programme of advisory services in the field of human rights.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XXI.]

1987/38. Voluntary fund for advisory services and technical assistance in the field of human rights

The Commission on Human Rights,

Recalling General Assembly resolutions in which the Assembly has requested the Commission on Human Rights, when considering the item entitled "Advisory services in the field of human rights", to pay special attention to the most appropriate ways of assisting, at their request, the countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations,

Recalling further its resolution 1986/52 of 13 March 1986, in which it requested the Secretary-General to report to the Commission at its forty-third session on the progress made in the implementation of the programme of advisory services in the field of human rights and to submit relevant information on the possible role of an eventual trust fund on advisory services in the field of human rights and, if it were established, the manner in which it could function,

Taking note with appreciation of the report of the Secretary-General submitted in pursuance of that resolution (E/CN.4/1987/33 and Add.1, Add.1/Corr.1 and Add.2),

1. Requests the Secretary-General to establish and administer in accordance with the Financial Regulations and Rules of the United Nations a voluntary fund for advisory services and technical assistance in the field of human rights;

2. Emphasizes that the objective of the trust fund is to provide additional financial support for practical activities focused on the implementation of international conventions and other international instruments on human rights promulgated by the United Nations, its specialized agencies or regional organizations;

3. Authorizes the Secretary-General to receive voluntary contributions to the fund from Governments, intergovernmental and non-governmental organizations and individuals in a position to make such contributions, and further authorizes the Secretary-General to solicit contributions or to make such representations or appeals for contributions as he deems appropriate;

4. Calls upon all Governments, intergovernmental and non-governmental organizations and individuals to consider making voluntary contributions for the implementation of projects within the programme of the trust fund;

5. Requests the Secretary-General to report to the Commission on Human Rights annually on the operation and administration of the trust fund as part of his annual report on advisory services in the field of human rights;

6. Further requests the Secretary-General to bring regularly to the attention of all Governments and of the competent human rights organs possibilities that exist under the trust fund to provide advisory services and technical assistance to Governments at their request;

7. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services of experts in the field of human rights;

8. Expresses its appreciation to all Governments and intergovernmental and non-governmental organizations which have provided assistance to States which indicated their need for technical assistance in the field of human rights.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XXI.]

1987/39. Development of public information activities
in the field of human rights

The Commission on Human Rights,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations as set out in Article 1, paragraph 3, of the Charter and that programmes of teaching, education and information are central to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling previous General Assembly resolutions on this subject, notably resolution 41/130 of 4 December 1986, and its own resolutions, notably resolution 1986/54 of 13 March 1986,

Bearing in mind the catalytic effect of United Nations initiatives on national and regional public information activities in the field of human rights,

Recognizing the valuable role that non-governmental organizations can play in such activities,

Noting that the public information activities of all parts of the United Nations system should be accorded adequate resources, should be co-ordinated efficiently and should be as cost-effective as possible, especially given the current financial crisis facing the Organization,

1. Takes note of the report of the Secretary-General on the development of public information activities in the field of human rights (E/CN.4/1987/16 and Add.1-3);

2. Requests all Member States to provide, facilitate and encourage publicity for the activities of the United Nations in the field of human rights and to accord priority to the dissemination of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international conventions in their respective national and local languages;

3. Reaffirms the need for United Nations materials on human rights to be made available in simplified, attractive and accessible form, in national and local languages, and for effective use to be made of the mass media and new audio-visual technologies in order to reach a wider audience, with priority on children, other young people and the disadvantaged, including those in isolated locations;

4. Recognizes the need for the United Nations to harmonize its activities in this field with the activities of other organizations, in particular the International Committee of the Red Cross, for dissemination of information and education relating to international humanitarian law;

5. Invites all relevant elements of the United Nations system, including United Nations information centres, the specialized agencies and regional commissions, as well as Member States and non-governmental organizations, to assist further in the dissemination of the human rights materials of the United Nations;

6. Expresses its appreciation to those Member States and non-governmental organizations which provided comments on the draft teaching booklet on human rights and renews its request to the Secretary-General to finalize the draft teaching booklet as soon as possible, taking due account of these comments, and to draw the attention of Member States to the booklet, which serves as a broad and flexible framework within which teaching can be structured and developed in accordance with national circumstances;

7. Urges all Member States to include in their educational curricula materials relevant to a comprehensive understanding of human rights issues and encourages all those responsible for training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate human rights components in their programmes;

8. Calls upon the Secretary-General to proceed, in co-operation with Member States, regional commissions and other United Nations bodies, to the production and dissemination of the personalized version of the Universal Declaration of Human Rights in national and local languages;

9. Welcomes the invitation issued by the General Assembly to Member States to consider nominating national focal points to which the Secretary-General could supply copies of relevant human rights materials in order to complement existing means by which such materials are disseminated;

10. Requests the Secretary-General to establish and publish a register of such national focal points;

11. Renews its request to the Secretary-General to expedite work, within available resources, on building up collections of reference works and United Nations materials in the field of human rights at each United Nations information centre, taking into account the list of basic reference works on human rights prepared by the United Nations;

12. Welcomes the request made by the General Assembly to the Secretary-General to arrange for the reprinting as soon as practicable of the United Nations publication entitled Human Rights: A Compilation of International Instruments;

13. Requests the Secretary-General to arrange for the public presentation, in both New York and Geneva, on Human Rights Day in 1987 of a selection of audio-visual and other materials in the field of human rights prepared by the Department of Public Information, to enable Member States to review these materials and to draw wider public attention to United Nations activities in the field of human rights;

14. Requests the Secretary-General to make available, within existing resources and in particular from the budget of the Department of Public Information, adequate funding for public information activities in the field of human rights and to ensure that proper arrangements are made with regard to the storage and distribution of United Nations public information materials in this field;

15. Requests the Secretary-General to submit to the Commission at its forty-fourth session a further report on the implementation of the present resolution, including a detailed status report on the availability in the official and other languages of the principal international human rights instruments and the stocks of these instruments available at United Nations information centres, and an assessment of the activities of United Nations information centres in the field of human rights;

16. Decides to continue its consideration of this question at its forty-fourth session under the agenda item "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

54th meeting

10 March 1987

[Adopted without a vote. See chap. XI.]

1987/40. National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling its relevant resolutions and those resolutions of the General Assembly concerning national institutions for the promotion and protection of human rights, notably General Assembly resolution 41/129 of 4 December 1986,

Mindful of the guidelines on the structure and functioning of national and local institutions for the promotion and protection of human rights endorsed by the General Assembly in its resolution 33/46 of 14 December 1978,

Recognizing the priority which should now be accorded to development of appropriate arrangements at the national level to ensure effective implementation of international human rights standards,

Conscious of the significant role that institutions at the national level can play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Welcoming the holding of seminars at Geneva, under the auspices of the United Nations, in June and July 1983 on the experience of different countries in the implementation of international standards on human rights, and in September 1985 on commissions for community relations, as well as current United Nations initiatives relating to the development of national arrangements to combat racial discrimination,

1. Emphasizes the importance of developing effective national institutions for the promotion and protection of human rights in accordance with national legislation and of maintaining the effectiveness, independence and integrity of such institutions, and encourages all Member States to establish and, where they already exist, to strengthen such national institutions;

2. Encourages all Member States as well as the Centre for Human Rights to promote the exchange of information and experience concerning the establishment and operation of such national institutions;

3. Recognizes the constructive role that non-governmental organizations can play in relation to national institutions;

4. Welcomes the consolidated report of the Secretary-General on national institutions (E/CN.4/1987/37) and requests the Secretary-General to submit this report through the Economic and Social Council to the General Assembly at its forty-second session for consideration with a view to its early dissemination as a handbook of the United Nations;

5. Recognizes the role of national institutions as focal points for the dissemination of human rights materials and in other public information activities in the field of human rights, including those programmes under the auspices of the United Nations;

6. Requests the Secretary-General to provide all necessary assistance to Member States upon their request in the implementation of paragraphs 1, 2 and 5 above, according priority to the needs of developing countries and taking into account the priority activities identified in the consolidated report on national institutions;

7. Decides to consider this question again at its forty-fourth session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

54th meeting
10 March 1987

[Adopted without a vote. See chap. XI.]

1987/41. Regional arrangements for the promotion and protection of human rights in the Asian-Pacific region

The Commission on Human Rights,

Recalling that the General Assembly in its resolutions, notably resolution 41/153 of 4 December 1986, has repeatedly affirmed the value of regional arrangements for the promotion and protection of human rights,

Recalling also its own resolution 1986/57 of 13 March 1986,

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

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

Noting with appreciation the report of the seminar on national, local and regional arrangements for the promotion and protection of human rights in the Asian region, held at Colombo from 21 June to 2 July 1982 (A/37/422, annex), and the comments received on the report of the seminar from the Economic and Social Commission for Asia and the Pacific and its member States,

Welcoming the decision of the Secretary-General to organize a training course on human rights teaching to be held in the Asian and Pacific region in 1987,

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

1. Takes note of the report of the Secretary-General (E/CN.4/1987/18);
2. Requests the Secretary-General to assist and encourage the Executive Secretary of the Economic and Social Commission for Asia and the Pacific to pursue the establishment of a depository centre for United Nations human rights materials within the Commission at Bangkok, the function of which would include the collection, processing and dissemination of such materials in the Asian and Pacific region;
3. Takes note of the efforts of United Nations development agencies in the Asian and Pacific region to promote the human rights dimension more actively and systematically in their development activities;
4. Encourages United Nations development agencies in the Asian and Pacific region to co-ordinate with the Economic and Social Commission for Asia and the Pacific their efforts to promote the human rights dimension in their activities;
5. Invites the Secretary-General to finalize as expeditiously as possible preparations for a training course on human rights teaching to be held at Bangkok in 1987, and requests that he report on the results of the course to the Commission at its forty-fourth session;
6. Requests the Secretary-General to submit a further report to the Commission at its forty-fourth session incorporating information on progress achieved in the implementation of the present resolution;
7. Decides to continue its consideration of this question at its forty-fourth session under the agenda item "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

54th meeting
10 March 1987

[Adopted without a vote. See chap. XI.]

1987/42. Strengthening of international co-operation in the field of human rights

The Commission on Human Rights,

Recalling that the purposes of the United Nations include the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms,

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

Considering that such international co-operation should be based on the norms and principles embodied in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international instruments,

Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities and the variety of problems existing in different societies,

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

Recalling General Assembly resolution 41/155 of 4 December 1986, by which the Assembly invited all States to communicate to the Secretary-General their views on the means and methods of strengthening international co-operation in the field of human rights,

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

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

3. Emphasizes that co-operation in the field of human rights should be guided by justice and equality with due respect for the dignity of all peoples without any discrimination;
4. Notes the important place that the promotion and protection of human rights has secured on the international agenda and in relations between States;
5. Invites all States, when communicating their views on the means and methods of strengthening international co-operation in the field of human rights, to reflect the measures they have taken for achieving such co-operation;
6. Decides to consider this question further at its forty-fourth session.

54th meeting

10 March 1987

[Adopted by a roll-call vote of 40 to none, with
2 abstentions. See chap. XI.]

1987/43. Measures to improve the situation and ensure the
human rights and dignity of all migrant workers

The Commission on Human Rights,

Reaffirming the permanent validity of the principles and standards embodied in the basic instruments regarding the international protection of human rights, in particular in the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women,

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

Recalling General Assembly resolution 34/172 of 17 December 1979, by which the Assembly established an open-ended working group to elaborate an international convention on the protection of the rights of all migrant workers and their families,

Recalling also General Assembly resolutions 35/198 of 15 December 1980, 36/160 of 16 December 1981, 37/170 of 17 December 1982, 38/86 of 16 December 1983, 39/102 of 14 December 1984, 40/130 of 13 December 1985 and 41/151 of 4 December 1986, in all of which the Assembly has taken note of the reports of the Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families and has expressed its satisfaction with the steady and substantial progress being made by the Working Group,

Bearing in mind its own resolutions 37 (XXXVII) of 12 March 1981, 1982/35 of 11 March 1982, 1983/45 of 9 March 1983, 1984/61 of 15 March 1984, 1985/52 of 14 March 1985 and, in particular, 1986/58 of 13 March 1986,

Concerned at the fact that, owing to the current financial situation, the Working Group could not meet between sessions of the General Assembly in 1986, immediately after the first regular session of the Economic and Social Council, following the practice established for the Group by the General Assembly itself,

1. Welcomes once more the progress being made by the Working Group in the discharge of its mandate and, in particular, the headway it has made in the second reading of the draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families;
2. Invites all Member States to continue co-operating with the Working Group in the performance of its task;
3. Reiterates its hope that the General Assembly will complete the elaboration of the convention as soon as possible;
4. Requests the Secretary-General to inform the Commission at its forty-fourth session of the further progress made in this regard, under the agenda item "Measures to improve the situation and ensure the human rights and dignity of all migrant workers".

54th meeting
10 March 1987

[Adopted without a vote. See chap. XIV.]

1987/44. The role of youth in the field of human rights, particularly in achieving the objectives of the International Youth Year: Participation, Development, Peace

The Commission on Human Rights,

Recalling its resolution 1985/13 of 11 March 1985 and General Assembly resolutions 40/14 of 18 November 1985 and 41/97 of 4 December 1986,

Aware that peace constitutes one of the principal aspirations of mankind and that the attainment and preservation of peace is a universal responsibility,

Bearing in mind that the Charter of the United Nations expresses the determination of the peoples to save succeeding generations from the scourge of war and to reaffirm faith in the equal rights of all without any distinction and to practise tolerance and live together in peace with one another as good neighbours,

Considering that the Universal Declaration of Human Rights proclaims that recognition of the inherent dignity and of the equal rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recalling that the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights proclaim that everyone has the right to life, liberty and security of person,

Recognizing the profound importance of the direct participation of youth in shaping the future of mankind and the valuable contribution that youth can make in all sectors of society, including in the field of human rights, as well as its willingness to express its ideas concerning the building of a better and more just world in which it can attain the objectives of the International Youth Year: Participation, Development, Peace, proclaimed for 1985,

Emphasizing the necessity to ensure full enjoyment by youth of the rights stipulated in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and all other relevant international instruments, as indispensable for human dignity and the free development of the human personality,

Convinced of the importance of preserving peace and ensuring the inherent right of every human being to life,

Stressing the particular importance of ensuring the active participation of youth in promoting the right to life as well as international peace and co-operation,

Welcoming the contribution of youth to the promotion of the ideals of peace and international co-operation, human rights and fundamental freedoms, the exercise of the right to self-determination, the elimination of colonialism, racism, racial discrimination and apartheid and the promotion of human solidarity and dedication to the objectives of progress and development,

Recognizing the valuable contribution that youth can make to the implementation of the new international economic order based on equality and justice,

Recalling the emphasis placed in the Universal Declaration of Human Rights on teaching and education, aimed at promoting human rights and fundamental freedoms,

Expressing its appreciation to the General Assembly, the Advisory Committee for the International Youth Year and the Centre for Social Development and Humanitarian Affairs for their important contribution to the whole process of preparation and observance of the International Youth Year,

Reaffirming the objectives of the International Youth Year: Participation, Development, Peace, and taking note of the guidelines for further planning and suitable follow-up in the field of youth, endorsed by the General Assembly in 1985 (A/40/256, annex) in order to maintain the impetus generated by the Year,

Mindful of the important role of youth in the field of human rights,

1. Reaffirms the role of youth in promoting the full and effective enjoyment of the entire range of human rights and fundamental freedoms for all;
2. Reaffirms also the fact that youth attaches crucial importance to the promotion of international peace and co-operation, the full and effective enjoyment of human rights and fundamental freedoms and the establishment of the new international economic order;
3. Appeals once again to all Governments to consider appropriate measures to ensure that young people have equal opportunities to participate in the economic, social, cultural, civil and political life of society as well as in the endeavour to promote human rights and fundamental freedoms, international peace and co-operation, understanding, tolerance and friendship among all nations;
4. Takes note with appreciation of resolution 1985/12 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of 29 August 1985, in which the Sub-Commission requested one of its members to prepare a report on human rights and youth analysing the efforts and measures for securing the implementation and enjoyment of human rights by youth, particularly the right to life, education and work, and to submit it to the Sub-Commission at its thirty-ninth session;
5. Requests the Secretary-General to provide all necessary assistance to the Rapporteur of the Sub-Commission on human rights and youth for completion of this task;
6. Decides to consider the matter at its forty-fifth session under the agenda item "The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service".

54th meeting
10 March 1987

[Adopted by a roll-call vote of 34 to none, with
8 abstentions. See chap. XV.]

1987/45. The role of youth in the promotion and protection of human rights

The Commission on Human Rights,

Recalling General Assembly resolutions 36/29 of 13 November 1981, 37/49 of 3 December 1982, 38/23 of 22 November 1983 and 41/98 of 4 December 1986 in which the Assembly, inter alia, recognized the need to adopt appropriate measures for securing the implementation and the enjoyment by youth of human rights, particularly the right to education and to work,

Recalling also its resolutions 1982/36 of 11 March 1982, 1983/46 of 9 March 1983 and 1985/14 of 11 March 1985,

Considering that young people constitute a substantial part of the world's population and play an important role in all fields of human activity, as well as the fact that the future belongs to youth,

Convinced that the confidence of youth in the future is a prerequisite for the realization of the creative potential of youth,

Recognizing that in many countries young people, under the prevailing critical social and economic conditions, are facing serious problems in the exercise of their right to education and work,

Aware of the fact that insufficient education and the unemployment of young people limit their ability to participate in the development process, and, in this regard, emphasizing the importance of secondary and higher education for young people, as well as of access for them to appropriate technical and vocational guidance and training programmes,

Expressing its serious interest in consolidating and building further on the results of the International Youth Year, which ended on 31 December 1985, in order to contribute, inter alia, to the increasing participation of young people in the socio-economic life of their country,

1. Calls upon all States, all governmental and non-governmental organizations, the United Nations organs concerned and the specialized agencies to devote constant attention to the exercise and use by young people of all human rights, including the right to education and vocational training and the right to work, with a view to ensuring full employment and the solution of the problem of unemployment among young people;

2. Calls upon all States to take appropriate legislative, administrative and other action for the exercise by youth of all human rights and fundamental freedoms, including the right to education and the right to work, with a view to creating conditions for the active participation of young people in the formation and implementation of programmes for the economic and social development of their countries;

3. Decides to include in the provisional agenda of its forty-fifth session the item entitled "The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service".

54th meeting
10 March 1987

[Adopted by a roll-call vote of 41 to none, with
1 abstention. See chap. XV.]

1987/46. Conscientious objection to military service

The Commission on Human Rights,

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

Mindful of articles 3 and 18 of the Universal Declaration of Human Rights, which proclaim the right to life, liberty and security of person and the right to freedom of thought, conscience and religion,

Bearing in mind that the International Covenant on Civil and Political Rights recognizes that everyone has the right to freedom of thought, conscience and religion,

Bearing in mind also General Assembly resolutions 34/151 of 17 December 1979, which designated 1985 as International Youth Year: Participation, Development, Peace, and 2037 (XX) of 7 December 1965, which states that young people shall be brought up with an understanding, and in the spirit, of peace, justice and respect for all persons, and 2447 (XXIII) of 19 December 1968,

Recalling its resolution 40 (XXXVII) of 12 March 1981, in which it pointed to the need for a better understanding of the circumstances under which military service might be objected to on the grounds of conscience,

Noting the important role of youth in the promotion of international peace and co-operation as well as of human rights and fundamental freedoms,

Recalling General Assembly resolution 33/165 of 20 December 1978, in which the Assembly recognized the right of all persons to refuse service in military or police forces used to enforce apartheid and called upon Member States to grant asylum or safe transit to another State, in the spirit of the Declaration on Territorial Asylum, to persons compelled to leave their country of nationality solely because of a conscientious objection to assisting in the enforcement of apartheid through service in military or police forces,

Expressing its conviction that consistent and sincere efforts on the part of all States aimed at the definitive removal of the threat of war, the preservation of international peace, the realization of the right to self-determination and the development of international co-operation in accordance with the Charter of the United Nations would ultimately result in the creation of conditions under which military service would become unnecessary,

Taking into consideration its resolution 1984/33 of 12 March 1984 and Economic and Social Council resolution 1984/27 of 24 May 1984, by which it was decided to give the widest possible distribution to the report prepared by Mr. Eide and Mr. Mubanga-Chipoya (E/CN.4/Sub.2/1983/30), with a view to receiving comments from Governments, relevant United Nations bodies and specialized agencies, other intergovernmental organizations and non-governmental organizations,

Taking note of the comprehensive report submitted by Mr. Eide and Mr. Mubanga-Chipoya on the question of conscientious objection to military service containing conclusions and recommendations,

Taking note also of the replies of Governments and international organizations to the Secretary-General's request for comments and observations (E/CN.4/1985/25 and Add.1-4),

Having carefully considered the Sub-Commission's report on the question of conscientious objection to military service (E/CN.4/Sub.2/1983/30), which reflects the relevant international norms and standards embodied in various human rights instruments and describes State practice concerning voluntary or compulsory performance of military service,

Recognizing that conscientious objection to military service derives from principles and reasons of conscience, including profound convictions, arising from religious, ethical, moral or similar motives,

1. Appeals to States to recognize that conscientious objection to military service should be considered a legitimate exercise of the right to freedom of thought, conscience and religion recognized by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;
2. Invites States to take measures aimed at exemption from military service on the basis of a genuinely held conscientious objection to armed service;
3. Recommends to States with a system of compulsory military service, where such provision has not already been made, that they consider introducing various forms of alternative service for conscientious objectors which are compatible with the reasons for conscientious objection, bearing in mind the experience of some States in this respect, and that they refrain from subjecting such persons to imprisonment;
4. Recommends to Member States, if they have not already done so, that they establish within the framework of their national legal system impartial decision-making procedures to determine whether a conscientious objection is valid in any specific case;
5. Requests the Secretary-General to report to the Commission at its forty-fifth session on the question of conscientious objection to military service, taking into account comments provided by Governments and further information received by him;
6. Decides to consider this matter further at its forty-fifth session under the agenda item "The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service".

54th meeting
10 March 1987

[Adopted by a roll-call vote of 26 to 2, with
14 abstentions. See chap. XV.]

1987/47. Rights of persons belonging to national, ethnic, religious and linguistic minorities

The Commission on Human Rights,

Recalling its resolutions 14 (XXXIV) of 6 March 1978, 21 (XXXV) of 14 March 1979, 37 (XXXVI) of 12 March 1980, 21 (XXXVII) of 10 March 1981, 1982/38 of 11 March 1982, 1983/53 of 10 March 1983, 1984/62 of 15 March 1984, 1985/53 of 14 March 1985 and 1986/60 of 13 March 1986,

Having taken note with appreciation of the report of the open-ended working group set up by the Commission to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities,

1. Decides to consider at its forty-fourth session the agenda item "Rights of persons belonging to national, ethnic, religious and linguistic minorities";
2. Decides to establish at its forty-fourth session an open-ended working group to continue consideration of the revised draft declaration proposed by Yugoslavia, taking into account all relevant documents;
3. Decides further that the working group shall have no fewer than four full meetings, preferably during the first week of the forty-fourth session;
4. Requests the Secretary-General to provide the working group with all the assistance it may require in the continuation of its drafting work.

54th meeting
10 March 1987

[Adopted without a vote. See chap. XX.]

1987/48. Question of a convention on the rights of the child

The Commission on Human Rights,

Bearing in mind the draft convention on the rights of the child submitted by Poland to the Commission on Human Rights on 7 February 1978, the amended version of the draft submitted to the Commission on 5 October 1979, and the documents submitted by Poland to the General Assembly at its thirty-sixth session, on 7 October 1981, and at its fortieth session, on 7 October 1985,

Recalling General Assembly resolutions 33/166 of 20 December 1978, 34/4 of 18 October 1979, 35/131 of 11 December 1980, 36/57 of 25 November 1981, 37/190 of 18 December 1982, 38/114 of 16 December 1983, 39/135 of 14 December 1984, 40/113 of 13 December 1985 and 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,

Recalling also its resolutions 20 (XXXIV) of 8 March 1978, 19 (XXXV) of 14 March 1979, 36 (XXXVI) of 12 March 1980, 26 (XXXVII) of 10 March 1981, 1982/39 of 11 March 1982, 1983/52 of 10 March 1983, 1984/24 of 8 March 1984, 1985/50 of 14 March 1985 and 1986/59 of 13 March 1986, and Economic and Social Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981 and resolutions 1978/18 of 5 May 1978, 1978/40 of 1 August 1978, 1982/37 of 7 May 1982, 1983/39 of 27 May 1983, 1984/25 of 24 May 1984, 1985/42 of 30 May 1985 and 1986/40 of 23 May 1986, by which it authorized a meeting of an open-ended working group for a period of one week prior to the forty-third session of the Commission with a view to completing the work on the draft convention on the rights of the child,

Aware of the fact that twenty-seven years after the adoption of the Declaration of the Rights of the Child, the situation of children in many parts of the world still continues to be far from satisfactory, and that the full enjoyment by children of human rights calls for continuous improvement of the situation of children as well as their development and education in conditions of peace and security,

Stressing the importance of an international convention on the rights of the child for the effective improvement of the situation of children all over the world,

Welcoming the efforts made by the United Nations Children's Fund with a view to promoting and protecting children's rights, life and well-being,

Noting the further progress made by the open-ended working group during its one-week meeting prior to the forty-third session of the Commission,

Noting also the growing interest in elaborating a comprehensive international convention on the rights of the child displayed by numerous Governments and international organizations,

1. Decides to continue at its forty-fourth session, as a matter of the highest priority, its work on the elaboration of the draft convention on the rights of the child, with a view to completing the draft at that session for transmission, through the Economic and Social Council, to the General Assembly;

2. Requests the Economic and Social Council to authorize a one-week session of an open-ended working group 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;

3. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution I.]

55th meeting
11 March 1987

[Adopted without a vote. See chap. XIII.]

1987/49. Situation in the Palestinian refugee camps in Lebanon

The Commission on Human Rights,

Guided by the principles of the Universal Declaration of Human Rights and the principles of international law,

Guided by the provisions of the Charter of the United Nations,

Recalling Security Council resolution 564 (1985) of 31 May 1985 and the statement made by the President of the Council on 13 February 1987 (S/18691),

Noting the statement read by the Chairman of the Commission at the 10th meeting, on 6 February 1987,

Recalling the press communiqués issued by the mission of the International Committee of the Red Cross in Beirut on 2 December 1986 and 15 January 1987, the reports of the International Committee of the Red Cross of 22 December 1986 and 17 February 1987 and the press communiqué issued by that Committee on 10 February 1987 on the inability of its mission to undertake its humanitarian activities in the Palestinian camps of Burj El-Barajneh and Shatila in Beirut and El-Rashidiyeh in south Lebanon because of the siege of these camps,

Deeply alarmed at the grave situation in the Palestinian refugee camps in Lebanon and the risks to the lives of their population,

Taking note of the statements on this situation made by the observer for the Palestine Liberation Organization and by a number of other delegations,

Emphasizing its respect for Lebanon's full sovereignty, independence and territorial integrity,

1. Expresses its deep dismay at the grave situation in the Palestinian refugee camps in Lebanon, resulting from the continuous attacks on and siege of the camps which expose their population to the risk of death;

2. Strongly condemns the repeated attacks on these camps, including the siege which has prevented the delivery of food and medical supplies for 155 days, and deems these attacks to be flagrant violations of the human rights of the Palestinian population of the camps.

56th meeting

11 March 1987

[Adopted by a roll-call vote of 29 to 2, with
12 abstentions. See chap. XII.]

1987/50. Question of human rights in Cyprus

The Commission on Human Rights,

Guided by the purposes and principles of the United Nations,

Mindful of the Universal Declaration of Human Rights and other relevant international instruments in the field of human rights,

Noting General Assembly resolutions 3212 (XXIX) of 1 November 1974, 3395 (XXX) of 20 November 1975, 3450 (XXX) of 9 December 1975, 31/12 of 12 November 1976, 32/15 of 9 November 1977, 32/128 of 16 December 1977, 34/30 of 20 November 1979, 37/181 of 17 December 1982 and 37/253 of 13 May 1983,

Noting also Security Council resolutions on Cyprus, in particular resolutions 541 (1983) of 18 November 1983 and 550 (1984) of 11 May 1984,

Recalling its previous resolutions 4 (XXXI) of 13 February 1975, 4 (XXXII) of 27 February 1976 and 17 (XXXIV) of 7 March 1978,

Mindful of the need to restore human rights in Cyprus without delay,

Reaffirming the basic human need of families to be informed, without further delay, about the fate of their missing relatives,

Alarmed by the fact that changes in the demographic structure of Cyprus are continuing with the influx of great numbers of settlers,

Recommending that the interested parties do their utmost to find a just and lasting solution to the Cyprus problem, based on respect for the sovereignty, independence, territorial integrity and non-alignment of the Republic of Cyprus and on the restoration and safeguarding of the human rights of all Cypriots,

Noting the report of the Secretary-General (E/CN.4/1987/19) under Commission decision 1986/103 of 12 March 1986,

1. Reiterates its previous calls for the full restoration of all human rights to the population of Cyprus, in particular to the refugees;
2. Considers attempts to settle any part of Varosha by people other than its inhabitants as illegal and calls for the immediate cessation of such activities;
3. Calls for the tracing of and accounting for missing persons in Cyprus without any further delay;
4. Calls for the restoration and respect of the human rights and fundamental freedoms of all Cypriots, including the freedom of movement, the freedom of settlement and the right to property;
5. Requests the Secretary-General to provide the Commission on Human Rights, at its forty-fourth session, with information relevant to the implementation of the present resolution;

6. Decides to consider the question of human rights in Cyprus at its forty-fourth session.

56th meeting

11 March 1987

[Adopted by a roll-call vote of 25 to 3, with 15 abstentions. See chap. XII.]

1987/51. Situation of human rights in El Salvador

The Commission on Human Rights,

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

Reaffirming that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the relevant international instruments,

Reaffirming also the essential task of the United Nations to ensure the observance, promotion and strengthening of human rights among Member States,

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

Bearing in mind Commission resolution 32 (XXXVII) of 11 March 1981, in which the Commission decided to appoint a special representative on the situation of human rights in El Salvador, and resolutions 1982/28 of 11 March 1982, 1983/29 of 8 March 1983, 1984/52 of 14 March 1984, 1985/35 of 13 March 1985 and 1986/39 of 12 March 1986, whereby it extended the mandate of the Special Representative for another year, requesting him to report to the General Assembly at its forty-first session and to the Commission on Human Rights at its forty-third session,

Taking note of the report prepared by the Special Representative (E/CN.4/1987/21) in accordance with the request made by the Commission on Human Rights in its resolution 1986/39,

Noting with satisfaction that the Special Representative points out in his report that the question of human rights continues to be an important element of the current policy of the Government of El Salvador which, within the process of democratic normalization, is achieving increasingly significant and commendable results,

Expressing regret, however, that serious violations of economic, political and social rights continue to be committed in El Salvador and that the damage caused to the economic infrastructure and the number of non-combatants killed or seriously wounded by bombardments and the explosion of contact mines are still a cause of deep concern,

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

Bearing in mind the praiseworthy humanitarian work carried out in El Salvador by the International Committee of the Red Cross,

Concerned with the continuing situation in which a considerable number of Salvadorian citizens have been obliged to leave their homes and become displaced persons or refugees,

Noting with satisfaction that the state of emergency in El Salvador was brought to an end on 12 January 1987, thereby making decree No. 50 inoperative,

Recognizing that dialogue is the best way to achieve national reconciliation, and believing that broad sectors of the country favour a comprehensive political negotiating process for a solution which would help to improve the human rights situation and put an end to the suffering of the Salvadorian people,

Aware that a negotiated political solution to the Salvadorian conflict can be cut short if external forces, instead of supporting the resumption of the dialogue, contribute in any way to the intensification or prolongation of the war, with the ensuing grave effects on the human rights situation,

1. Commends the Special Representative for his report on the situation of human rights in El Salvador;

2. Recognizes with interest and emphasizes that it is significant that the Special Representative has indicated in his report that the question of human rights is an important part of the policy of the Government of El Salvador, which is achieving increasingly significant and commendable results;

3. Expresses, nevertheless, its deep concern at the fact that serious and numerous violations of human rights continue to take place in El Salvador owing, inter alia, to non-compliance with the humanitarian rules of war, and therefore requests the Government of El Salvador and the insurgent forces to adopt measures conducive to the humanization of the conflict by observing scrupulously the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977;

4. Calls upon the Salvadorian Government and the insurgent forces to do their utmost in all measures intended to avoid death or harm to the physical integrity of the non-combatant population as a result of warfare and the placing of contact mines;

5. Recommends that the Special Representative should continue to observe and inform the General Assembly and the Commission of the extent to which the contending parties are respecting the humanitarian rules of war, particularly as regards respect for the civilian population, prisoners of war, those wounded in combat, health personnel and military hospitals of either party;

6. Requests all States to refrain from intervening in the internal situation in El Salvador and, instead of helping in any way to prolong and intensify the armed conflict, to encourage the continuation of the dialogue until a just and lasting peace is achieved;

7. Expresses deep regret that the dialogue initiated in October 1984 between the Government of El Salvador and the insurgent forces continues to be interrupted and recommends the early resumption of open and generous talks so that through sincere dialogue they may be able, in accordance with the joint communiqué issued at La Palma, to reach a negotiated comprehensive political settlement which will contribute decisively to an improvement in the human rights situation, put an end to the armed conflict and help to institutionalize and strengthen the democratic system based on the full exercise by all Salvadorians of their civil and political rights and economic, social and cultural rights;

8. Warmly welcomes the fact that the Government of El Salvador and the insurgent forces have this year reached an agreement whereby, without need for negotiations or exchanges, the International Committee of the Red Cross can evacuate the war-wounded to places where they can receive the medical care they need, an agreement that constitutes a positive step and the observance of which will undoubtedly contribute to humanization of the conflict;

9. Requests all States to co-operate, as much as possible, in the reception of refugees and to support the autonomous organizations dealing with displaced persons within El Salvador, and requests the Government of that country to continue to grant facilities to Salvadorians wishing to return to their homes;

10. Deplores the fact that the capacity of the judicial system in El Salvador to investigate, prosecute and punish violations of human rights continues to be patently unsatisfactory and therefore urges the competent authorities to hasten the adoption of the forceful measures necessary to investigate, in the most rapid, exemplary and effective manner, the violations of human rights and fundamental freedoms;

11. Calls upon the competent authorities in El Salvador to make the national legislation compatible with the provisions contained in the international instruments on human rights binding on the Government of that country;

12. Recommends the continuation and broadening of the reforms necessary in El Salvador, including the effective application of agrarian reform, in order to contribute to a solution of the economic and social problems which are at the root of the internal conflict in that country;

13. Decides to extend the mandate of the Special Representative for another year, in the hope that the human rights situation in El Salvador will continue to improve;

14. Requests the Special Representative to submit his report on further developments in the human rights situation in El Salvador to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session;

15. Renews its appeal to the Government of El Salvador, as well as to other parties concerned, to continue to co-operate with the Special Representative, and requests the competent bodies of the United Nations system to provide any advice and assistance which the Government of El Salvador may require to achieve the highest levels in the promotion and protection of human rights and fundamental freedoms;

16. Decides to keep the human rights situation in El Salvador under review at its forty-fourth session.

56th meeting

11 March 1987

[Adopted by a roll-call vote of 36 to none, with
7 abstentions. See chap. XII.]

1987/52. 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

The Commission on Human Rights,

Recalling its decision 1984/116 of 16 March 1984, in which it decided to establish an open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms,

Recalling also its decision 1985/112 of 14 March 1985, in which it decided that the open-ended working group should be convened at the forty-second session of the Commission, meeting pre-sessionally for one week, and its resolution 1986/44 of 12 March 1986, in which it noted the progress achieved by the working group at its first meeting,

Recalling also its resolutions 23 (XXXVI) of 29 February 1980, 28 (XXXVII) of 11 March 1981, 1982/30 of 11 March 1982 and 1983/31 of 8 March 1983 concerning the role of individuals, groups and organs of society in the promotion and protection of universally recognized human rights,

Noting the progress made by the open-ended working group during its one-week meeting prior to the forty-third session of the Commission, in particular the commencement of preparations for drafting,

1. Decides to continue at its forty-fourth session, as a matter of the highest priority, its work on the elaboration of the 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, using as a basis the views expressed and proposals made in the working group during the forty-third session;

2. Decides also to make available during the forty-fourth session of the Commission appropriate meeting time for the working group, preferably during the first two weeks of the session;

3. Requests the Economic and Social Council to authorize a one-week session of an open-ended working group prior to the forty-fourth session of the Commission on Human Rights with a view to continuing the work on the 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;

4. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution II.]

56th meeting

11 March 1987

[Adopted without a vote. See chap. XII.]

1987/53. Situation of human rights in Guatemala

The Commission on Human Rights,

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

Reiterating that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms,

Recalling its resolutions 1983/37 of 8 March 1983, 1984/53 of 14 March 1984, 1985/36 of 13 March 1985 and 1986/62 of 13 March 1986 on the situation of human rights in Guatemala,

Recalling also General Assembly resolutions 38/100 of 16 December 1983, 39/120 of 14 December 1984, 40/140 of 13 December 1985 and 41/156 of 4 December 1986,

Bearing in mind that the General Assembly in its resolution 41/156 recommended that the Commission on Human Rights should continue to consider the situation of human rights and fundamental freedoms in Guatemala,

Welcoming again the Guatemalan Government's efforts to promote respect for human rights and the measures it has taken to that end,

Encouraging the Government of Guatemala to take further measures to provide effective machinery for the investigation of allegations of human rights violations reported, inter alia, by the Special Representative,

Having considered the report of the Special Representative (E/CN.4/1987/24),

Taking into account the fact that the constitutional Government of Guatemala has made efforts to guarantee the full application of the rights of the individual and of fundamental freedoms, and has made progress in that area during its first year in office, as is apparent from the report of the Special Representative,

Considering that the United Nations ought to be prepared to consider providing assistance to any nation undergoing a delicate and sensitive period for the growth and consolidation of democracy, if the nation in question so requests, in order to contribute to the observance of human rights and fundamental freedoms,

1. Expresses its gratitude to Viscount Colville of Culross for his report and for the manner in which he has discharged his mandate as Special Representative;

2. Expresses its appreciation to the Government of Guatemala for its collaboration with the Commission on Human Rights, as well as the facilities and co-operation afforded to the Special Representative;

3. Notes with satisfaction that measures have been taken by the Government of Guatemala to guarantee the protection of human rights and fundamental freedoms in that country;

4. Welcomes the process of democratization and return to constitutionality, which are fundamental steps towards complete and effective enjoyment of human rights and fundamental freedoms by all sectors of the population of Guatemala, and encourages the Government of Guatemala to continue to take measures for the effective application of the Constitution and other laws aimed at safeguarding those rights and freedoms;

5. Takes into account the fact that the new Guatemalan Amparo, Habeas Corpus and Constitutionality Act establishes guarantees and means of defence of the constitutional order and of the individual human rights protected by the Constitution and provides for means of monitoring effective compliance with the provisions of the Constitution;

6. Welcomes with satisfaction the enactment of the Law on the Commission on Human Rights of the Congress of the Republic and on the Procurator for Human Rights and expresses its confidence that an appointment will be made to that position in the near future;
7. Expresses the hope that the appropriate authorities will investigate human rights violations reported to them and that they will make all possible efforts to clarify the fate of the disappeared persons;
8. Encourages the Government of Guatemala to continue to take effective measures within the framework of the Constitution to ensure that its authorities and agencies, civilian as well as military, including law enforcement officials, fully respect human rights and fundamental freedoms;
9. Takes note with satisfaction of the willingness of the Government of Guatemala to continue co-operating with the Commission on Human Rights by providing information on the implementation of the new legal order for the protection of human rights and its efforts to guarantee the full enjoyment of fundamental freedoms in Guatemala;
10. Requests the Secretary-General to provide such advisory services and other appropriate forms of assistance in the field of human rights as may be requested by the constitutional Government of Guatemala with a view to fostering advances in democracy and strengthening the institutions responsible for ensuring respect for human rights;
11. Requests the Secretary-General to appoint an expert with a view to assisting the Government of Guatemala, through direct contacts, in taking the necessary action for the further restoration of human rights, and requests the expert to report on his direct contacts with the Government of Guatemala and to formulate recommendations for the further restoration of human rights;
12. Decides to terminate the mandate of the Special Representative and, in the light of the preceding paragraph, to continue to observe the situation of human rights in Guatemala.

56th meeting
11 March 1987

[Adopted without a vote. See chap. XII.]

1987/54. Situation of human rights in southern Lebanon

The Commission on Human Rights,

Gravely concerned by the continuous acts of aggression and the arbitrary practices of the Israeli occupation forces in southern Lebanon which constitute a flagrant violation of the provisions of the Charter of the United Nations, the principles of international law, the Universal Declaration of Human Rights, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and The Hague Convention IV of 1907,

Gravely concerned by Israel's failure to implement Security Council resolutions 425 (1978) of 19 March 1978 and 509 (1982) of 6 June 1982,

Recalling all the resolutions of the General Assembly, the Security Council and other United Nations organs declaring that the continued occupation and repeated acts of aggression constitute a violation of both the will of the international community and the conventions in force in this respect,

Reaffirming its resolutions 1985/41 of 13 March 1985 and 1986/43 of 12 March 1986,

1. Strongly condemns Israel for its continued human rights violations manifested in acts of aggression, bombardments of civilian populations, detentions and other arbitrary practices;

2. Calls upon Israel to put an immediate end to such repressive practices and to implement the above-mentioned resolutions of the Security Council, which require its immediate, total and unconditional withdrawal from all Lebanese territory and respect for the sovereignty, independence and territorial integrity of Lebanon;

3. Calls upon those Governments which are continuing to give Israel economic, political and military aid to refrain from providing Israel with support that encourages it to persevere in its policy of aggression and expansion;

4. Requests the Secretary-General:

(a) To bring the present resolution to the attention of the Government of Israel and to invite it to provide information concerning the extent of its implementation thereof;

(b) To report to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session on the results of his efforts in that regard;

5. Decides to continue its consideration of the situation of human rights in southern Lebanon at its forty-fourth session.

56th meeting
11 March 1987

[Adopted by a roll-call vote of 26 to 1, with
15 abstentions. See chap. XII.]

1987/55. Human rights situation in the Islamic Republic of Iran

The Commission on Human Rights,

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

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

Bearing in mind its resolutions 1982/27 of 11 March 1982, 1983/34 of 8 March 1983 and, in particular, 1984/54 of 14 March 1984, in which the Commission expressed deep concern at the continuing serious violations of human rights and fundamental freedoms in the Islamic Republic of Iran and requested the Chairman to appoint a special representative on the human rights situation in that country,

Recalling, in particular, its resolution 1986/41 of 12 March 1986, by which it decided to extend the mandate of the special representative for one year and requested him to present an interim report to the General Assembly at its forty-first session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, and a final report to the Commission at its forty-third session,

Mindful of resolution 1985/17 of 29 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the Sub-Commission expressed its alarm at the continuing reports of gross violations of human rights and fundamental freedoms in the Islamic Republic of Iran,

Recalling General Assembly resolution 41/159 of 4 December 1986, by which the Assembly decided to continue its examination of the human rights situation in the Islamic Republic of Iran and requested the Commission on Human Rights to study carefully the final report of the Special Representative, as well as other information pertaining to the situation of human rights in the Islamic Republic of Iran, and to consider further steps for securing effective respect for human rights and fundamental freedoms for all in that country,

Regretting that the Government of the Islamic Republic of Iran has so far provided no comment or information to the Special Representative and has not allowed him to visit the country,

Noting with concern that the Government of the Islamic Republic of Iran has also not so far responded to the urgent appeals made by the Special Rapporteur on summary or arbitrary executions and by the Special Rapporteur on torture,

Deeply disturbed by the numerous and detailed allegations of grave and extensive human rights violations which the Special Representative reviews in his report (E/CN.4/1987/23), including the list of alleged violations of the right to life referred to in that report, and to which the Government of the Islamic Republic of Iran has not responded,

Taking note of reports of the recent release of a number of persons imprisoned in the Islamic Republic of Iran, including persons detained for exercising their right to freedom of expression and opinion, and expressing the hope that further positive developments will occur,

1. Takes note with appreciation of the report of the Special Representative (E/CN.4/1987/23) and the conclusions and recommendations contained therein;

2. Again expresses its deep concern over the numerous and detailed allegations of grave human rights violations in the Islamic Republic of Iran to which the Special Representative refers in his report and, in particular, those related to the right to life, the right to freedom from torture or cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person and to freedom from arbitrary arrest or detention, the right to a fair trial, the right to freedom of thought, conscience and religion and to freedom of expression, and the right of religious minorities to profess and practise their own religion;

3. Endorses the conclusion of the Special Representative that acts continue to occur in the Islamic Republic of Iran which are inconsistent with the provisions of treaties and covenants by which the Government of that country is legally bound;

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

5. Decides to extend the mandate of the Special Representative, as contained in Commission resolution 1984/54, for a further year;

6. Requests the Special Representative to present an interim report to the General Assembly at its forty-second session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, and new elements contained in his report, for example the allegations of violations affecting the medical profession, and a final report to the Commission at its forty-fourth session;

7. Renews its urgent appeal to the Government of the Islamic Republic of Iran to extend its full co-operation to the Special Representative, in particular by responding to his request for information, and by permitting him to visit that country;

8. Requests the Secretary-General to give all necessary assistance to the Special Representative of the Commission;

9. Decides to continue its consideration of the situation of human rights and fundamental freedoms in the Islamic Republic of Iran as a matter of priority at its forty-fourth session.

56th meeting
11 March 1987

[Adopted by a roll-call vote of 18 to 5, with
16 abstentions. See chap. XII.]

1987/56. Human rights and mass exoduses

The Commission on Human Rights,

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

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

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees, as indicated in the study of the Special Rapporteur on this subject (E/CN.4/1503) and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees (A/41/324, annex),

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

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

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

Noting again the report of the Secretary-General on human rights and mass exoduses (A/38/538),

Welcoming the endorsement by the General Assembly at its forty-first session of the recommendations and conclusions contained in the report of the Group of Experts on International Co-operation to Avert New Flows of Refugees,

Recalling General Assembly resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983, 39/117 of 14 December 1984, 40/149 of 13 December 1985, 41/70 of 3 December 1986 and 41/148 of 4 December 1986, and its own resolutions 30 (XXXVI) of 11 March 1980, 29 (XXXVII) of 11 March 1981, 1982/32 of 11 March 1982, 1983/35 of 8 March 1983, 1984/49 of 14 March 1984, 1985/40 of 13 March 1985 and 1986/45 of 12 March 1986,

Welcoming the steps taken by the Secretary-General to establish an early warning system as mentioned in his report on the work of the Organization to the General Assembly at its forty-first session (A/41/1),

1. Welcomes the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes;

2. Welcomes the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the main organs of the United Nations should make fuller use of their respective competences under the Charter for the prevention of new massive flows of refugees, with a view to considering at the earliest possible stage situations and problems which could give rise to massive flows of refugees;

3. Invites all Governments and concerned international organizations to intensify their co-operation and assistance in efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;

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

5. Requests the Secretary-General to inform the General Assembly at its forty-second session of action taken pursuant to the recommendations in paragraph 70 of the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees (A/41/324, annex);

6. Further requests the Secretary-General to inform the Commission on Human Rights at its forty-fourth session of any developments concerning the efforts being undertaken to enable the United Nations to anticipate and react more adequately and speedily to cases requiring humanitarian assistance, as mentioned in the report of the Secretary-General on the work of the Organization to the General Assembly at the thirty-ninth session (A/39/1);

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

56th meeting

11 March 1987

[Adopted without a vote. See chap. XII.]

1987/57. Summary or arbitrary executions

The Commission on Human Rights,

Recalling its resolutions 1983/36 of 8 March 1983, 1984/50 of 14 March 1984, 1985/37 of 13 March 1985 and 1986/42 of 12 March 1986,

Recalling also Economic and Social Council resolution 1986/36 of 23 May 1986 and General Assembly resolution 41/144 of 4 December 1986 on the question of summary or arbitrary executions,

Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution III.]

56th meeting

11 March 1987

[Adopted without a vote. See chap. XII.]

1987/58. Question of human rights and fundamental freedoms in Afghanistan

The Commission on Human Rights,

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

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

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

Recalling its resolution 1984/55 of 15 March 1984, in which it expressed its concern and anxiety at the continuing presence of foreign forces in Afghanistan, as well as Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the human rights situation in Afghanistan,

Recalling also its resolution 1985/38 of 13 March 1985, by which the Commission expressed its profound concern at the grave and massive human rights violations in Afghanistan and urged the authorities in that country to put a stop to those violations, in particular the military repression being conducted against the civilian population of Afghanistan,

Recalling further Economic and Social Council decision 1985/147 of 30 May 1985, by which the Council approved the Commission's decision to extend the mandate of the Special Rapporteur and requested him to report to the General Assembly at its fortieth session and to the Commission at its forty-second session on the situation of human rights in Afghanistan, including the human and material losses resulting from bombardments of the civilian population,

Recalling also resolution 1985/35 of 30 August 1985 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the Sub-Commission requested the Commission to ask the Special Rapporteur to look, in particular, into the fate of women and children as a consequence of the conflict in Afghanistan,

Recalling further General Assembly resolution 40/137 of 13 December 1985, in which the Assembly expressed its profound concern that disregard for human rights in Afghanistan was more widespread and that the conflict continued to engender human rights violations on a large scale, endangering, as a result, not only the lives of individuals but the existence of whole groups of persons and tribes,

Recalling its resolution 1986/40 of 12 March 1986, in which it expressed its deep concern about the number of persons detained for seeking to exercise their fundamental human rights and freedoms, and their detention under conditions contrary to internationally recognized standards,

Recalling also General Assembly resolution 41/158 of 4 December 1986, in which the Assembly stated that it shared the conviction of the Special Rapporteur that the duration of the conflict increased the seriousness of the gross and systematic violations of human rights already existing in the country,

Taking note of Economic and Social Council decision 1986/136 of 23 May 1986, in which the Council approved the Commission's decision to extend for one year the mandate of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan,

Having carefully examined the report of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan (E/CN.4/1987/22), which reveals continuing grave and massive violations of fundamental human rights in that country,

Taking note of the recent declarations on national reconciliation proclaimed by the Afghan authorities,

Recognizing that a situation of armed conflict continues to exist in Afghanistan, leaving large numbers of victims without protection or assistance,

Welcoming the resumption of the activities of the International Committee of the Red Cross in Afghanistan,

Noting with satisfaction that the Afghan authorities no longer maintain their regrettable refusal to co-operate with the Special Rapporteur and have expressed their willingness to co-operate with the Commission and the Special Rapporteur, and that they have invited the Special Rapporteur, in a letter dated 4 March 1987, to visit Afghanistan,

1. Commends the Special Rapporteur for his report on the situation of human rights in Afghanistan;

2. Expresses its deep concern that the Afghan authorities, with heavy support from foreign troops, are acting with great severity against their opponents and suspected opponents without any respect for the international human rights obligations which they have assumed;

3. Expresses its grave concern at the methods of warfare used, which are contrary to humanitarian standards and the relevant instruments to which the States concerned are parties;
4. Expresses its grave concern, in particular, at the severe consequences for the civilian population of indiscriminate bombardments and military operations primarily targeted on villages and the agricultural structure;
5. Shares the conviction of the Special Rapporteur that the duration of the conflict increases the seriousness of the gross and systematic violations of human rights already existing in the country;
6. Expresses once again its profound distress and alarm, in particular, at the widespread violations of the right to life, liberty and security of person, including the commonplace practice of torture and summary executions of the régime's opponents, as well as at continuing evidence of a policy of religious intolerance;
7. Expresses its deep concern about the number of persons detained for seeking to exercise their fundamental human rights and freedoms, and their detention under conditions contrary to internationally recognized standards;
8. Notes with great concern that the educational system does not appear to respect the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions;
9. Notes with great concern that such widespread violations of human rights, which have already caused millions of people to flee their homes and country, are still giving rise to large flows of refugees and displaced persons;
10. Calls once again upon the parties to the conflict to apply fully the principles and rules of international humanitarian law;
11. Decides to extend the mandate of the Special Rapporteur for a year and to request him to report to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session on the question of human rights and fundamental freedoms in Afghanistan, taking into consideration the effects on the human rights situation in the country of the announced intention to initiate a process of reconciliation;
12. Welcomes the invitation extended to the Special Rapporteur to visit Afghanistan, and expresses the hope that this visit will take place in time to enable the Special Rapporteur to include findings based on his visit in his interim report to the General Assembly, as well as in his report to the Commission;
13. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

14. Decides to continue its consideration of the human rights situation in Afghanistan as a matter of high priority at its forty-fourth session.

56th meeting
11 March 1987

[Adopted by a roll-call vote of 26 to 8, with
7 abstentions. See chap. XII.]

1987/59. Dissemination of information on human rights

The Commission on Human Rights,

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

Conscious also that it is the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace,

Recalling article 19 of the Universal Declaration of Human Rights as well as articles 19 and 20 of the International Covenant on Civil and Political Rights, on the right to freedom of opinion and expression,

Reaffirming that information activities for the promotion and protection of human rights should contribute to strengthening peace and understanding at national and international levels and to enabling all persons to participate effectively in civil, political, economic, social and cultural life,

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

Noting with satisfaction the important place that the promotion and protection of human rights has secured on the international agenda and in relations between States,

Appealing to Member States to fulfil in good faith obligations assumed by them in accordance with the Charter of the United Nations, including activities in relation to dissemination of information on human rights which should be undertaken in the light of the goals of the Charter of the United Nations of achieving international co-operation in solving international problems and in promoting and encouraging respect for human rights and fundamental freedoms,

1. Emphasizes that dissemination of information in the field of human rights should be pursued in good faith and should contribute to the understanding of problems existing in different societies and improve awareness of differing economic, social and cultural realities;

2. Expresses its conviction that communications media and non-governmental organizations can play an important role in enhancing promotion and protection of human rights and contribute to better mutual understanding, confidence and respect;

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

4. Appeals to all States to ensure respect and support for the right of all persons to exercise the right to freedom of opinion and expression;

5. Invites the mass media to give more publicity and attention to the work of the Commission on Human Rights and other United Nations bodies dealing with human rights.

56th meeting
11 March 1987

[Adopted by a roll-call vote of 41 to none, with
1 abstention. See chap.XI.]

1987/60. Question of human rights in Chile

The Commission on Human Rights,

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

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

Recalling its pertinent resolutions, in particular its resolutions 11 (XXXV) of 6 March 1979, by which it appointed a Special Rapporteur on the situation of human rights in Chile, and 1986/63 of 14 March 1986, in which it decided, inter alia, to extend the mandate of the Special Rapporteur for one year and to consider that subject, as a matter of high priority, in view of the continued serious violations of human rights in Chile,

Bearing in mind that the concern of the international community at the situation of human rights in Chile was expressed by the General Assembly in a number of resolutions, particularly resolution 33/173 of 20 December 1978 on disappeared persons and resolution 41/161 of 4 December 1986, in which the Assembly invited the Commission on Human Rights to consider the report of the

Special Rapporteur and to take the most appropriate steps for the effective restoration of human rights and fundamental freedoms in Chile, including the extension of the mandate of the Special Rapporteur,

Deeply concerned that the repeated appeals of the General Assembly, the Commission on Human Rights and other international organs for the re-establishment of respect for human rights and fundamental freedoms have not been taken into account by the Chilean Government,

Considering also certain reports prepared by various non-governmental organizations which have brought to public attention the serious violations of human rights in Chile,

Noting that certain concrete measures, such as the reintroduction of the Labour Tribunals and the establishment of the Advisory Commission on Human Rights of the Ministry of the Interior, represent recognition by the Government of Chile of the need to address human rights problems but are insufficient, owing to the structural limitations imposed on their enforcement and competence, and that their powers should be strengthened,

Noting with interest that agreements have been concluded between the International Committee of the Red Cross and some Chilean security forces which will allow that Committee to visit detention centres periodically in order to prevent unlawful ill-treatment, including torture,

Noting that, as urged by the Commission on Human Rights at its forty-second session, the practice of ordering administrative internal banishment was not used during 1986,

Noting also that the establishment of electoral registers and the announced laws on political parties represent initial steps but, in the absence of a framework for free elections, do not meet the basic requirements of a democratic rule of law nor of the principle of non-discrimination based on political opinions or of other nature which is an integral part of the International Bill of Human Rights,

Noting that the Chilean Government has recently allowed a number of political exiles to return and has expressed readiness to review additional cases,

1. Takes note with interest of the report of the Special Rapporteur on the situation of human rights in Chile (E/CN.4/1987/7), submitted in accordance with its resolution 1986/63, and expresses its appreciation for his efforts in preparing the report;

2. Welcomes the fact that the Government of Chile has authorized the Special Rapporteur to visit the country again and expresses its confidence that the Government will provide co-operation and free access to means for carrying out the investigation; at the same time, regrets that this authorization would not grant the opportunity solicited by the Special Rapporteur to prepare his report in accordance with his mandate; and regrets also that the Government's co-operation with the efforts of the United Nations has not led to a substantial improvement in the situation of human rights and fundamental freedoms;

3. Again expresses its conviction that the re-establishment of a legal and political order based on the expression of the people's will through an electoral process open to all citizens on an equal footing, and on free elections is fundamental for full respect for human rights in Chile, as it is in any other country, and expresses its deep concern at the absence of a proper institutional framework which guarantees the full exercise of civil, political, economic, social and cultural rights, a basic condition for the free expression of the people's sovereignty;

4. Urges the Chilean Government to honour the requests from various social and political sectors for the peaceful re-establishment of a pluralist democracy;

5. Expresses its deep concern at the persistence of serious violations of human rights in Chile, as described in the report of the Special Rapporteur, which refers to such violations as murders, deaths in alleged confrontations, abductions, temporary disappearances, torture and ill-treatment by the security forces, the climate of insecurity and extreme violence, the maintenance of exile and the discriminatory character of the announced, but not yet published, register of citizens authorized to return to the country, the attacks on international humanitarian organizations and the denial of fundamental rights and freedoms through the maintenance of arbitrary executive powers during the prolonged period in which states of emergency have been in force;

6. Expresses its concern at the systematic and continuing restrictions imposed by the Chilean Government on the exercise of the rights to freedom of expression, assembly and association through the use of repressive methods and violent responses to social and political opposition demonstrations, in particular military searches of marginal settlements and university premises and acts of intimidation against religious and lay human rights bodies;

7. Expresses its deep concern at the persistent ineffectiveness of the Chilean Government in respecting human rights and restoring legality in conformity with the Universal Declaration of Human Rights which is essential for the effective enjoyment and exercise of human rights and fundamental freedoms and in the best democratic tradition of Chile;

8. Expresses dismay over the continued acts of extreme violence from all sources in Chile which have exacerbated the climate of insecurity, which is one of the factors that make a peaceful return to democracy difficult;

9. Also expresses its deep concern at the ineffectiveness of the government authorities in preventing the ill-treatment of individuals by the military, police and security forces, particularly at the failure of the competent judicial authorities to take the necessary steps to conduct full investigations and prosecute those responsible for the numerous unresolved cases of murder, abduction, disappearance and torture, and for serious injuries through the use of further repressive methods of inhuman cruelty;

10. Emphasizes the need for the Government of Chile to restore and respect human rights in conformity with the principles of the Universal Declaration of Human Rights and in compliance with the obligations it has assumed under various international instruments, so that the principle of legality, democratic institutions and the effective enjoyment and exercise of human rights and fundamental freedoms may be restored, and, in particular:

(a) To amend legislation, including the laws permitting the arbitrary use of states of emergency, so as to bring it into conformity with guarantees of human rights, as defined in relevant international treaties, and to put an end to such states of emergency, under which serious and continuing violations of human rights are committed in the country;

(b) Immediately to put an end to all forms of physical and psychological torture and effectively to respect the right to life and physical and moral integrity, and to desist furthermore from intimidation and persecution, abductions, arbitrary arrests, detention in secret locations, and detention incommunicado for prolonged periods;

(c) To proceed as a matter of urgency, through judicial and administrative action, to investigate all reports of deaths, torture, abductions and other human rights violations by the military, police and security forces and to punish those found guilty of such violations;

(d) To put an end to and punish the activities of gangs and groups, whether private or connected with the security forces, which are responsible for rapes, abductions resulting in deaths, searches, interrogations, intimidation and ill-treatment of persons;

(e) To investigate and clarify without further delay the fate of persons arrested for political reasons who have subsequently disappeared, without the granting of amnesty which creates an obstacle for the identification of those responsible and the administration of justice;

(f) To reorganize the police and security forces, including organizations such as the National Information Agency, so as to help put an end to persistent problems of human rights violations and establish a permanent system to monitor the conduct of the armed, police and security forces;

(g) To co-operate fully and effectively with investigations of human rights violations, ensuring in all such investigations the independence of the judiciary and the maximum effectiveness of judicial remedies, particularly amparo or habeas corpus, to prevent the intimidation and deprivation of freedom of witnesses and defence lawyers, and to re-establish the jurisdiction of the civilian courts in matters relating to them which have over the past years been delegated to the military courts;

(h) To guarantee that anti-terrorist legislation shall not be used against persons who have not committed terrorist acts, that persons accused of acts of violence or terrorism shall be accorded due process of law and respect for their rights, and that the accusation of terrorism shall not be adduced as

a justification for any abuse of authority, torture or inhuman treatment or for the creation of special courts, which do not provide objective guarantees of independent justice;

(i) To respect the right of Chileans to live in and freely enter and leave their country without arbitrary restrictions or conditions and to put an end to the practice of forced exile;

(j) To restore the full enjoyment and exercise of economic, social and cultural rights, particularly labour rights and freedom of information, and preserve the socio-cultural identity of indigenous people;

(k) To respect the activities of organizations and persons related to the protection and promotion of human rights;

11. Takes note of the co-operation of the Government of Chile with the United Nations, which has led to initial efforts to address human rights problems, requests that it continue and increase its co-operation with the Special Rapporteur and fully implement the resolutions and recommendations of the international community and of the Special Rapporteur on this matter, and invites it to present all the observations it wishes to make to the Commission on Human Rights at its forty-fourth session;

12. Decides to extend the mandate of the Special Rapporteur for one year and to request him to report on the situation of human rights in Chile to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session;

13. Recommends to the Economic and Social Council that it make appropriate arrangements to ensure that the necessary financial resources and sufficient staff are provided to implement the present resolution;

14. Decides to consider at its forty-fourth session, as a matter of high priority, the human rights situation in Chile.

57th meeting

12 March 1987

[Adopted without a vote. See chap. V.]

1987/61. Situation in Sri Lanka

The Commission on Human Rights,

Guided by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the universally accepted rules of international humanitarian law,

Recalling its decision 1984/111 of 14 March 1984,

Taking note of the report of the Special Rapporteur on torture (E/CN.4/1987/13) and of the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1987/15 and Corr.1 and Add.1),

1. Calls upon all parties and groups to respect fully the universally accepted rules of humanitarian law;

2. Calls upon all parties and groups to renounce the use of force and acts of violence and to pursue a negotiated political solution, based on principles of respect for human rights and fundamental freedoms;

3. Invites the Government of Sri Lanka to intensify its co-operation with the International Committee of the Red Cross in the fields of dissemination and promotion of international humanitarian law and to consider favourably the offer of the services of the International Committee of the Red Cross to fulfil its functions of protection of humanitarian standards, including the provision of assistance and protection to victims of all affected parties;

4. Expresses the hope that the Government of Sri Lanka will continue to provide the Commission on Human Rights with information on this question.

58th meeting
12 March 1987

[Adopted without a vote. See chap. XII.]

B. Decisions

1987/101. Organization of work

(a) At its 3rd meeting, on 3 February 1987, the Commission decided, without a vote, to set up informal open-ended working groups for the consideration of agenda items 13 and 20 and, in the context of item 12, for the drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

(b) At the same meeting, the Commission decided to invite the following persons to participate in its meetings:

- (i) In connection with item 5: Mr. F. Volio Jiménez, Special Rapporteur on the situation of human rights in Chile;
- (ii) In connection with item 6: Mr. M.L. Balanda, representing the Ad hoc Working Group of Experts on violations of human rights in southern Africa;
- (iii) In connection with item 10 (a): Mr. P. Kooijmans, Special Rapporteur on the question of torture; in connection with item 10 (c): Mr. I. Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances;
- (iv) In connection with item 12: Viscount Colville of Culross, Special Representative on the situation of human rights in Guatemala; Mr. F. Ermacora, Special Rapporteur on the situation of human rights in Afghanistan; Mr. R. Galindo Pohl, Special Representative on the situation of human rights in the Islamic Republic of Iran; Mr. A.J. Pastor Ridruejo, Special Representative on the situation of human rights in El Salvador; Mr. S. Amos Wako, Special Rapporteur on summary or arbitrary executions; and representatives of States in respect of which situations were being considered under item 12 (b);
- (v) In connection with item 22: Mr. A. Vidal d'Almeida Ribeiro, Special Rapporteur on the question of religious intolerance.

[See chap. III.]

1987/102. Revision of the agenda

At its 27th meeting, on 19 February 1987, the Commission, having taken note of Economic and Social Council decision 1987/102 of 6 February 1987, by which the Council decided to extend the mandate of the present members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to postpone until the forty-fourth session of the Commission on Human Rights the election of new members of the Sub-Commission scheduled to be held

during the forty-third session of the Commission, decided, under rule 8 of its rules of procedure, without a vote, to delete item 23 (Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities) from the agenda of its forty-third session.

[See chap. III.]

1987/103. 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 42nd (closed) meeting, on 2 March 1987, the Commission decided, without a vote, subject to the approval of the Economic and Social Council, to set up a working group (Working Group on Situations) composed of five of its members to meet for one week prior to its forty-fourth 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-ninth session under Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970 and those situations of which the Commission was seized.

[See chap. XII.]

1987/104. Elaboration of a second optional protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty

At its 54th meeting, on 10 March 1987, the Commission decided, without a vote, pursuant to its decision 1985/109 of 14 March 1985, to consider further at its forty-fourth session the idea of elaborating a second optional protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty and requested the Secretary-General to inform the General Assembly of the contents of the present decision.

[See chap. XVIII.]

1987/105. Situation of human rights and fundamental freedoms in Cuba

At its 56th meeting, on 11 March 1987, the Commission decided, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, by a roll-call vote of 19 to 18, with 6 abstentions, to take no action on draft resolution E/CN.4/1987/L.29/Rev.1.

[See chap. XII.]

1987/106. Policy of human rights violations of the Government of the United States of America

At its 56th meeting, on 11 March 1987, the Commission decided, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, by a roll-call vote of 17 to 15, with 11 abstentions, to take no action on draft resolution E/CN.4/1987/L.31.

[See chap. XII.]

1987/107. Question of the human rights and fundamental freedoms of the people of Afghanistan

At its 56th meeting, on 11 March 1987, the Commission decided, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, by a roll-call vote of 22 to 9, with 10 abstentions, to take no action on draft resolution E/CN.4/1987/L.79.

[See chap. XII.]

1987/108. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

At its 56th meeting, on 11 March 1987, the Commission, considering the invitations of the Secretary-General to provide comments on priorities, innovations and curtailments/redeployment to assist him in the preparation of the draft medium-term plan for the United Nations for 1990-1995 and to submit views and proposals to the Special Commission of the Economic and Social Council on achieving the objectives envisaged in recommendation 8 of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (A/41/49), decided, without a vote, that:

(a) Due note should be taken of the statement of the Assistant Secretary-General for Human Rights at its opening meeting and of the summary records of its debate on agenda item 11 and any other pertinent remarks made during the debates at the forty-third session in the preparation of the draft medium-term plan for 1990-1995;

(b) The above-mentioned material should also be transmitted, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, to the Special Commission of the Economic and Social Council for consideration in the course of its work;

(c) It should accord special attention to the questions of priority setting, programme planning, budgeting and resources at its forty-fourth session;

(d) Sufficient time should be accorded at its forty-fourth session to debate on agenda item 11 to allow these questions to be discussed fully on the basis of documentation, including the draft medium-term plan, which should be distributed in good time.

[See chap. XI.]

1987/109. Organization of the work of the Commission

At its 56th meeting, on 11 March 1987, the Commission, taking into account its heavy schedule of work and that of its sessional working groups as well as the need to give adequate consideration to all the items on the agenda, and recalling that in previous years the Economic and Social Council had approved the Commission's request for additional meetings for its thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second and forty-third sessions, decided, without a vote, (a) to recommend to the Economic and Social Council that it authorize, if possible within existing financial resources, 20 fully-serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, for the Commission's forty-fourth session, and (b) to request the Chairman of the Commission at its forty-fourth session to make every effort to organize the work of the session within the normal allotted time, the additional meetings that the Economic and Social Council might authorize to be utilized only if such meetings proved to be absolutely necessary.

[See chap. III.]

1987/110. Expression of thanks to Mr. Kurt Herndl,
Assistant Secretary-General for Human
Rights, for his services

At its 56th meeting, on 11 March 1987, the Commission decided, by acclamation, to express to Mr. Kurt Herndl its gratitude for his excellent and effective services to the Commission and for his dedication to the cause of human rights.

[See chap. III.]

1987/111. Draft provisional agenda for the forty-fourth session
of the Commission

At its 59th meeting, on 13 March 1987, the Commission, bearing in mind the need to consider rationalization of its agenda and debate as well as other relevant considerations, and taking due note of its discussion, at the conclusion of its forty-second session, on the possible deletion of item 5 from the draft provisional agenda for its forty-third session and the

inclusion under item 12 of the legislative authority and documentation listed under item 5, decided, without a vote, to consider this question further at its forty-fourth session before the adoption of the agenda.

[See chap. XXIII.]

1987/112. Draft provisional agenda for the forty-fourth session of the Commission

At its 59th meeting, on 13 March 1987, the Commission decided, by a roll-call vote of 28 to 4, with 7 abstentions, to transfer the reference at (c) under agenda item 12 in the draft provisional agenda for the forty-fourth session (E/CN.4/1987/L.1) to agenda item 22, it being understood that at the Commission's forty-fourth session the report in question could be referred to in the context of item 12 should it be deemed pertinent to do so.

[See chap. XXIII.]

III. ORGANIZATION OF THE FORTY-THIRD SESSION

A. Opening and duration of the session

1. The Commission on Human Rights held its forty-third session at the United Nations Office at Geneva from 2 February to 13 March 1987.
2. The session was opened (1st meeting) by Mr. Héctor Charry Samper (Colombia), Chairman of the Commission at its forty-second session, who made a statement. The Assistant Secretary-General for Human Rights also addressed the Commission.

B. Attendance

3. The session was attended by representatives of States members of the Commission, by observers from other States Members of the United Nations, by observers from non-member States and by representatives of specialized agencies, regional intergovernmental organizations, national liberation movements and non-governmental organizations. An attendance list is given in annex I below.

C. Election of officers

4. At its 1st meeting, on 2 February 1987, the Commission elected the following officers by acclamation:

Chairman:	Mr. Leonid F. Evmenov (Byelorussian Soviet Socialist Republic)
Vice-Chairmen:	Mr. Abdul Jabbar Al-Haddawi (Iraq) Mr. Ole P. Kolby (Norway) Mr. Alioune Sene (Senegal)
Rapporteur:	Mrs. María E. Ruesta de Furter (Venezuela).

D. Agenda

5. The Commission had before it the provisional agenda for the forty-third session (E/CN.4/1987/1), drawn up, in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the draft provisional agenda considered by the Commission at its forty-second session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII).
6. At its 2nd meeting, on 2 February 1987, the Commission adopted the provisional agenda (E/CN.4/1987/1).
7. At its 27th meeting, on 19 February 1987, the Commission, in view of the adoption by the Economic and Social Council of decision 1987/102 of 6 February 1987, by which the Council decided to extend the mandate of the present members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and to postpone until the forty-fourth session of the Commission on Human Rights the election of new members of the Sub-Commission

scheduled to be held during the forty-third session of the Commission, decided, under rule 8 of its rules of procedure, to delete item 23 (Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities) from the agenda of its forty-third session.

8. The agenda, as adopted and subsequently revised, is given in annex II below.

9. For the text of the decision, see chapter II, section B, decision 1987/102.

E. Organization of work

10. At its 3rd meeting, on 3 February 1987, the Commission considered the organization of its work. Bearing in mind the respective priority of the items and the availability of the relevant documentation, the Commission accepted the recommendation of its officers to the effect that the following items should be considered concurrently: items 6, 7, 16 and 17; items 8 and 18; items 5 and 12. The Commission further agreed to consider the items on its agenda in the following order: 4; 9; 6, 7, 16, 17; 22; 8, 18; 21; 10; 19; 5, 12; 11; 15; 14; 13; 20; 23; 24.

11. At the same meeting, upon the recommendation of its officers, the Commission decided to invite the following persons to participate in the meetings at which their reports were to be considered:

(a) In connection with item 5: Mr. F. Volio Jiménez, Special Rapporteur on the situation of human rights in Chile;

(b) In connection with item 6: Mr. M. L. Balanda, representing the Ad Hoc Working Group of Experts on violations of human rights in southern Africa;

(c) In connection with item 10 (a): Mr. P. Kooijmans, Special Rapporteur on the question of torture. In connection with item 10 (c): Mr. I. Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances;

(d) In connection with item 12: Viscount Colville of Culross, Special Representative on the situation of human rights in Guatemala; Mr. F. Ermacora, Special Rapporteur on the situation of human rights in Afghanistan; Mr. R. Galindo Pohl, Special Representative on the situation of human rights in the Islamic Republic of Iran; Mr. J.A. Pastor Ridruejo, Special Representative on the situation of human rights in El Salvador; Mr. S. Amos Wako, Special Rapporteur on summary or arbitrary executions; and representatives of States in respect of which situations were being considered under item 12 (b);

(e) In connection with item 22: Mr. A. Vidal d'Almeida Ribeiro, Special Rapporteur on the question of religious intolerance.

12. For the text of the decision, see chapter II, section B, decision 1987/101.

13. At the same meeting, the Commission accepted the recommendation of its officers regarding the limitation of the frequency and duration of statements. Members of the Commission were limited to one statement of 15 minutes or to two statements of 10 minutes or to three statements of 7 minutes per item. Observers and non-governmental organizations were limited to one statement of 10 minutes per item, while observer States mentioned in a report and liberation movements could make one statement of 15 minutes or two statements of 10 minutes per item. It was also agreed that, with regard to rights of reply, the practice followed by the General Assembly, namely a limitation to two replies, 10 minutes for the first and 5 minutes for the second, would again be observed.

14. At the 56th meeting, on 11 March 1987, a draft decision (E/CN.4/1987/L.51) sponsored by the United Kingdom of Great Britain and Northern Ireland was introduced by the representative of that country.

15. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.77) of draft decision E/CN.4/1987/L.51. 1/

16. The representative of Venezuela proposed amending the draft decision by inserting the words "in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council" between the words "summary records" and the words ", for the Commission's". The amendment was accepted by the sponsor of the draft decision.

17. The draft decision as amended, was adopted without a vote.

18. For the text of the decision, see chapter II, section B, decision 1987/109.

F. Meetings, resolutions and documentation

19. The Commission held 59 meetings.

20. The resolutions and decisions adopted by the Commission at its forty-third session are contained in chapter II of the present report. Draft resolutions and decisions for action by the Economic and Social Council are set out in chapter I.

21. Annex III contains estimates of the administrative and programme budget implications of the Commission's resolutions and decisions prepared in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council.

22. Annex IV contains a list of documents issued for the forty-third session of the Commission.

G. Other matters

23. At the 7th meeting, on 5 February 1987, the Minister of Justice of the Union of Soviet Socialist Republics, Mr. B. Kravtsov, addressed the Commission.
24. At the 10th meeting, on 6 February 1987, the Chairman made an appeal concerning humanitarian assistance to the civilian population in the refugee camps in Lebanon.
25. At the 25th meeting, on 18 February 1987, the President of the South West Africa People's Organization, Mr. S. Nujoma, addressed the Commission.
26. At the 27th meeting, on 19 February 1987, the Secretary-General for Foreign Affairs of Austria, Mr. G. Hinteregger, addressed the Commission.
27. At the 29th meeting, on 20 February 1987, the Minister for Rights and Liberties of the Citizens of Zaire, Mr. M.N. Nimy, addressed the Commission.
28. At the 31st meeting, on 23 February 1987, the Secretary of State for Human Rights of France, Mr. C. Malhuret, addressed the Commission.
29. At the 35th meeting, on 25 February 1987, the Deputy Minister for Foreign Affairs of the German Democratic Republic, Mr. B. Neugebauer, addressed the Commission.
30. At the 39th meeting, on 27 February 1987, the head of the Political Department of the Palestine Liberation Organization, Mr. F. Kaddoumi, addressed the Commission.
31. At the 40th meeting, on 27 February 1987, the Minister for Foreign Affairs and Co-operation of Togo, Mr. A. K. Amega, addressed the Commission.
32. At the 43rd meeting, on 3 March 1987, the Minister for Foreign Affairs of Afghanistan, Mr. A. Wakil, addressed the Commission.
33. At the 47th meeting, on 5 March 1987, the Minister of Justice of the Russian Federal Soviet Socialist Republic, Mr. A. Sukharev, addressed the Commission.
34. At the 48th meeting, on 5 March 1987, the Permanent Representative of the United States of America to the United Nations, Mr. V. Walters, addressed the Commission.
35. At the 49th meeting, on 6 March 1987, the Minister for External Relations of Guatemala, Mr. M. Quiñónez Amézquita, addressed the Commission.
36. At the 56th meeting, on 11 March 1987, the Commission, by a decision, expressed its gratitude to Mr. Kurt Herndl, Assistant Secretary-General for Human Rights, for his excellent and effective services to the Commission and for his dedication to the cause of human rights.
37. For the text of the decision, see chapter II, section B, decision 1987/110.

IV. QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE
OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

38. The Commission considered agenda item 4 at its 3rd to 9th meetings, held from 3 to 6 February, and at its 27th meeting, held on 19 February 1987. 2/

39. The Commission had before it the following documents:

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to the General Assembly (A/41/680);

Notes verbales dated 20 and 22 January 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting memoranda prepared by the Office of the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva (E/CN.4/1987/3, E/CN.4/1987/5 and E/CN.4/1987/41);

Report of the Secretary-General on the measures taken to give Commission resolution 1986/1 A and B and 1986/2 the widest possible publicity (E/CN.4/1987/4/Rev.1);

Note by the Secretary-General listing all United Nations reports issued since the forty-second session of the Commission that deal with the situation of the population of the occupied Arab territories, including Palestine (E/CN.4/1987/6);

Letter dated 4 February 1987 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/43);

Note verbale dated 13 February 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter dated 13 February 1987 from the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/46);

Letter dated 12 March 1987 from the Permanent Representative of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights, transmitting a letter dated 10 March 1987 from the Syrian Minister for Foreign Affairs to the Chairman of the Commission on Human Rights (E/CN.4/1987/59);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/8);

Written statement submitted by the International Union of Students, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/19);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/20);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1987/NGO/35).

40. In the general debate on the item, 3/ statements were made by the following members of the Commission: Algeria (4th), Argentina (8th), Austria (9th), Bangladesh (6th), Belgium (8th), Brazil (7th), Bulgaria (5th), Byelorussian Soviet Socialist Republic (5th), China (7th), Cyprus (9th), France (8th), German Democratic Republic (7th), India (8th), Iraq (6th), Ireland (7th), Italy (9th), Nicaragua (5th), Pakistan (5th), Peru (6th), Senegal (5th), Somalia (5th), Sri Lanka (7th), Union of Soviet Socialist Republics (9th), United Kingdom of Great Britain and Northern Ireland (5th), United States of America (4th), Yugoslavia (8th).

41. The Commission also heard statements by the observers for: Afghanistan (5th), Bahrain (4th), Cuba (7th), Czechoslovakia (6th), Democratic Yemen (4th), Egypt (8th), Hungary (7th), Iran (Islamic Republic of) (8th), Israel (7th), Jordan (4th), Kuwait (4th), Libyan Arab Jamahiriya (5th), Mongolia (8th), Morocco (4th), Saudi Arabia (3rd), Spain (8th), Sudan (7th), Syrian Arab Republic (3rd), Tunisia (5th), Turkey (7th), Ukrainian Soviet Socialist Republic (7th), United Republic of Tanzania (8th), Viet Nam (6th), Yemen (5th).

42. A statement was made by the observer for the League of Arab States (4th).

43. A statement was also made by the observer for the Palestine Liberation Organization (3rd).

44. The Commission also heard statements by the following non-governmental organizations: Arab Lawyers Union (8th), International Youth and Student Movement for the United Nations (8th), Parliamentary Association for Euro-Arab Co-operation (5th), Women's International Democratic Federation (6th), World Union for Progressive Judaism (7th).

45. Statements in right of reply or equivalent to right of reply were made by the representatives of Iraq (8th), the Union of Soviet Socialist Republics (9th), the United Kingdom of Great Britain and Northern Ireland (6th) and the United States of America (9th); by the observers for Iran (Islamic Republic of) (8th), Israel (4th and 8th), Jordan (8th) and the Syrian Arab Republic (4th and 8th); and by the observer for the Palestine Liberation Organization (5th and 8th).

46. At its 27th meeting, on 19 February 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 4.

47. The representative of Nicaragua introduced draft resolution E/CN.4/1987/L.3, sponsored by Algeria, Bahrain*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, Cyprus, the German Democratic Republic, Lebanon*, Nicaragua, Pakistan, Qatar*, Saudi Arabia*, Senegal, the Syrian Arab Republic*, the Ukrainian Soviet Socialist Republic*,

the Union of Soviet Socialist Republics, the United Arab Emirates*, Viet Nam* and Yugoslavia. Afghanistan*, the Congo, Cuba*, Czechoslovakia*, India and Jordan* subsequently joined the sponsors.

48. Statements in explanation of vote before the vote were made by the representatives of Colombia and Iraq.

49. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a separate vote was taken on the last preambular paragraph, and, at the request of the representatives of Costa Rica and of the United States of America, a separate vote was taken on operative paragraph 4 of the draft resolution. At the request of the representative of the United States of America, the votes were taken by roll-call.

50. The last preambular paragraph was adopted by 21 votes to 14, with 7 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Pakistan, Rwanda, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Colombia, Mexico, Peru, Philippines, Togo, Venezuela.

51. Operative paragraph 4 was adopted by 18 votes to 17, with 6 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Nicaragua, Pakistan, Senegal, Somalia, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Brazil, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, Philippines, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Colombia, Mexico, Peru, Rwanda, Sri Lanka, Venezuela.

The representative of Mozambique stated that his delegation was not participating in the vote.

52. At the request of the representative of Algeria, a roll-call vote was taken on draft resolution E/CN.4/1987/L.3 as a whole. The draft resolution was adopted by 28 votes to 1, with 13 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, United Kingdom of Great Britain and Northern Ireland, Venezuela.

53. Statements in explanation of vote after the vote were made by the representatives of Argentina, Australia, Austria, Brazil, Peru, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

54. For the text of the resolution, see chapter II, section A, resolution 1987/1.

55. At the same meeting, the representative of Sri Lanka introduced two draft resolutions, A and B (E/CN.4/1987/L.4), sponsored by Algeria, Bahrain*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, China, Cuba*, Czechoslovakia*, Democratic Yemen*, the German Democratic Republic, India, Iraq, Kuwait*, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*, Senegal, Sri Lanka, the Ukrainian Soviet Socialist Republic*, the Union of Soviet Socialist Republics, the United Arab Emirates*, Yemen* and Yugoslavia. Afghanistan*, the Congo, Cyprus, the Gambia, Jordan*, the Libyan Arab Jamahiriya*, Nicaragua, Somalia and the Syrian Arab Republic* subsequently joined the sponsors.

56. A statement in explanation of vote before the vote was made by the representative of Colombia.

57. At the request of the representative of the United States of America, separate votes were taken on the sixth and last preambular paragraphs and on operative paragraphs 4, 6 and 13 of draft resolution A (E/CN.4/1987/L.4) and, at the request of the representative of Costa Rica, a separate vote was taken on operative paragraph 8 (c). At the request of the representative of the United States of America, the votes were taken by roll-call.

58. The sixth preambular paragraph was adopted by 29 votes to 8, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Australia, Belgium, France, Germany, Federal Republic of, Italy, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Costa Rica, Ireland, Japan, Liberia.

59. The last preambular paragraph was adopted by 27 votes to 1, with 14 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Mexico, Mozambique, Nicaragua, Pakistan, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Brazil, Costa Rica, France, Germany, Federal Republic of, Italy, Japan, Liberia, Norway, Peru, Philippines, United Kingdom of Great Britain and Northern Ireland.

60. Operative paragraph 4 was adopted by 23 votes to 10, with 8 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Pakistan, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

Against: Australia, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Liberia, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Brazil, Colombia, Japan, Mexico, Peru, Togo, Venezuela.

The representative of Costa Rica stated that his delegation was not participating in the vote.

61. Operative paragraph 6 was adopted by 25 votes to 1, with 16 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Mozambique, Nicaragua, Pakistan, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Brazil, Colombia, Costa Rica, France, Germany, Federal Republic of, Italy, Japan, Liberia, Mexico, Norway, Peru, Philippines, United Kingdom of Great Britain and Northern Ireland.

62. Operative paragraph 8 (c) was adopted by 23 votes to 11, with 8 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Pakistan, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

Against: Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Japan, Liberia, Mexico, Peru, Togo, Venezuela.

63. Operative paragraph 13 was adopted by 22 votes to 16, with 4 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Pakistan, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Colombia, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Mexico, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Peru, Togo, Venezuela.

64. At the request of the representative of Algeria, a roll-call vote was taken on draft resolution A (E/CN.4/1987/L.4) as a whole. The draft resolution was adopted by 28 votes to 8, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Australia, Belgium, France, Germany, Federal Republic of, Italy, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Costa Rica, Ireland, Japan, Liberia, Mexico.

65. For the text of the resolution, see chapter II, section A, resolution 1987/2 A.

66. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, separate votes were taken on operative paragraphs 1 and 3 of draft resolution B (E/CN.4/1987/L.4) and, at the request of the representative of the Federal Republic of Germany, a separate vote was taken on operative paragraph 4. At the request of the representative of the United States of America, the votes were taken by roll-call.

67. Operative paragraph 1 was adopted by 42 votes to none. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Ireland, Italy, Japan, Liberia, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: None.

Abstaining: None.

68. Operative paragraph 3 was adopted by 26 votes to 9, with 7 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Yugoslavia.

Against: Australia, Belgium, Costa Rica, France, Germany, Federal Republic of, Italy, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Brazil, Ireland, Japan, Liberia, Venezuela.

69. Operative paragraph 4 was adopted by 29 votes to 8, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Australia, Belgium, France, Germany, Federal Republic of, Italy, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Costa Rica, Ireland, Japan, Liberia.

70. At the request of the representative of Algeria, a roll-call vote was taken on draft resolution B (E/CN.4/1987/L.4) as a whole. The draft resolution was adopted by 29 votes to 1, with 12 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, United Kingdom of Great Britain and Northern Ireland.

71. For the text of the resolution, see chapter II, section A, resolution 1987/2 B.

72. Statements in explanation of vote after the vote on the resolutions were made by the representatives of Argentina, Australia, Austria, Brazil, Peru, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

73. A statement equivalent to right of reply was made by the observer for the Palestine Liberation Organization.

74. The observer for the Syrian Arab Republic also made a statement.

V. QUESTION OF HUMAN RIGHTS IN CHILE

75. The Commission considered agenda item 5 concurrently with item 12 (see chap. XII) at its 40th meeting, held on 27 February, at its 43rd to 50th meetings, held on 3 to 6 March, at its 51st to 53rd meetings, held on 9 and 10 March, and at its 57th meeting, held on 12 March 1987. 2/

76. The Commission had before it the following documents:

Note by the Secretary-General transmitting to the General Assembly the preliminary report of the Special Rapporteur on the situation of human rights in Chile (A/41/719);

Letter dated 25 July 1986 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/41/523);

Report of the Special Rapporteur on the situation of human rights in Chile to the Commission on Human Rights (E/CN.4/1987/7);

Letter dated 3 March 1987 from the Permanent Representative of Chile to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights, transmitting the Chilean Government's comments on the report of the Special Rapporteur (E/CN.4/1987/55);

Written statement submitted by the International Indian Treaty Council, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/3);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/9);

Written statement submitted by the International League for Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/16);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1987/NGO/18);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/21);

Written statements submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/29 and E/CN.4/1987/NGO/56);

Written statement submitted by the International Humanist and Ethical Union, a non-governmental organization on the Roster (E/CN.4/1987/NGO/40).

77. At the 43rd meeting, on 3 March 1987, Mr. F. Volio Jiménez, Special Rapporteur on the situation of human rights in Chile, introduced his report to the Commission.

78. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (44th), Brazil (50th), Bulgaria (45th), Byelorussian Soviet Socialist Republic (44th), France (51st), German Democratic Republic (45th), Ireland (46th), Italy (50th), Japan (49th), Mexico (52nd), Mozambique (49th), Norway (47th), Union of Soviet Socialist Republics (44th and 48th), Venezuela (43rd). (The representatives of Australia, Belgium, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America referred to this question under item 12).

79. The Commission also heard statements by the observers for: Cuba (52nd), Chile (43rd and 48th), Czechoslovakia (52nd), Mongolia (52nd), Spain (52nd), Sweden (48th), Ukrainian Soviet Socialist Republic (52nd), Viet Nam (52nd). (The observers for Canada and the Netherlands referred to this question under item 12).

80. The Commission heard statements by the following non-governmental organizations: Christian Democratic International (44th), Commission of the Churches on International Affairs of the World Council of Churches (45th), Defense for Children International Movement (47th), Human Rights Advocates, Inc. (48th), Indigenous World Association (52nd), Inter-American Press Association (45th), Inter-Parliamentary Union (44th), International Association of Democratic Lawyers (45th), International Commission of Jurists (44th), International Confederation of Free Trade Unions (46th), International Federation of Human Rights (50th), International Indian Treaty Council (46th), International League for the Rights and Liberation of Peoples (45th), International Youth and Student Movement for the United Nations (48th), Latin American Federation of Associations of Relatives of Disappeared Detainees (52nd), Pax Christi (52nd), Pax Romana (46th), Women's International League for Peace and Freedom (52nd), World Federation of Democratic Youth (48th), World Federation of Trade Unions (44th), World Peace Council (46th), World Student Christian Federation (45th), World University Service (46th).

81. A statement equivalent to right of reply was made by the observer for Chile (53rd).

82. On 9 March 1987, a draft resolution (E/CN.4/1987/L.89) was submitted by Algeria, Australia, Denmark*, France, Italy, Mexico, the Netherlands*, Norway, Portugal*, Spain* and Yugoslavia. Austria and Cuba* subsequently joined the sponsors.

83. On the same day, a draft resolution (E/CN.4/1987/L.90) was submitted by the United States of America, reading as follows:

"Situation of human rights in Chile

"The Commission on Human Rights,

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

"Noting the obligation of the Government of Chile to respect and protect human rights in accordance with the international instruments to which Chile is a party, an obligation which is not different from that of any other Government which is a party to international human rights instruments,

"Recalling its successive resolutions on the situation of human rights in Chile and in particular its resolution 11 (XXXV) of 6 March 1979, by which it appointed a Special Rapporteur on the situation of those rights, and its resolution 1986/63 of 14 March 1986, in which it agreed most recently to extend for a year the mandate of the Special Rapporteur and, in view of the violations of human rights in Chile, to give high priority to the study of this issue,

"Also recalling General Assembly resolution 41/161 of 4 December 1986, in which the Assembly invited the Commission on Human Rights to consider the report of the Special Rapporteur, and to take the most appropriate steps for the improvement of human rights and the effective restoration of fundamental freedoms in that country, including the maintenance of the Special Rapporteur,

"Considering that the Special Rapporteur submitted to the General Assembly at its forty-first session a preliminary report on the situation of human rights in Chile (A/41/719, annex) and has delivered to the Commission on Human Rights at its forty-third session another report (E/CN.4/1987/7), and that those reports indicate the persistence of violations of human rights in that country,

"Having examined the Special Rapporteur's report,

"1. Commends the Special Rapporteur for his reports on the situation of human rights in Chile and welcomes the fact that the Government of Chile has maintained its co-operation with the Special Rapporteur and responded at length to the Special Rapporteur's report of 10 February 1986;

"2. Recognizes as positive that the Government of Chile has authorized a visit to the country in March 1987 by the Special Rapporteur;

"3. Expresses dismay over continued, violent terrorist actions in Chile which have helped create an environment that impedes the return to democracy, noting in particular the assassination attempt against the Chilean President and the introduction of clandestine arsenals from abroad;

"4. Notes that the state of siege imposed following the assassination attempt against the Chilean President in September 1986 was removed in January 1987;

"5. Welcomes the fact that the practice of ordering internal banishment without recourse to the judicial system was not used by the Government during 1986, as urged by the Commission at its forty-second session, and that the Government has enhanced its co-operation with the International Committee of the Red Cross, given permission for publication of a newspaper associated with opposition views, reduced by more than 1,008 since December 1986 the number of Chilean citizens not permitted to enter their country and is conducting a review intended to reduce this number substantially during the first quarter of 1987, also as urged by the Commission at its forty-second session;

"6. Notes that the establishment in June 1986 of an Advisory Commission to the Ministry of the Interior on matters related to human rights represented recognition by the Government of the need to address human rights problems, and that the Government has undertaken to establish electoral registers and announced measures to be implemented in the first part of 1987 to permit political parties to obtain legal recognition by the Government;

"7. Expresses dismay, nevertheless, over the suppression of fundamental rights and freedoms through the continued maintenance of extraordinary executive powers, currently and during the prolonged period in which states of exception have been in effect;

"8. Again expresses its concern at the persistence of violations of human rights in Chile, as described in the reports of the Special Rapporteur, which refer to such abuses as the continuation of the problem of torture and abuses by security forces, unsolved kidnappings and murders of opposition figures, the maintenance of exile, and the still unresolved disappearances of many Chileans;

"9. Emphasizes the need for the Government of Chile to guarantee that anti-terrorist legislation shall not be used against persons who have not committed terrorist acts and that persons charged with acts of terrorism shall be accorded due process of law and respect for their rights;

"10. Reaffirms its conviction that a legal and political structure, based on the consent of the governed, emerging from a non-violent and constructive national dialogue, representative of the will of the people as expressed in free elections and through the full exercise of legal rights, is essential to the full observance of human rights in Chile, as in any other nation;

"11. Once again appeals to the Government of Chile to re-establish, in conformity with the Universal Declaration of Human Rights, democratic institutions and the full protection of law which are essential to the effective enjoyment and exercise of human rights and fundamental freedoms, and are in the best democratic tradition of Chile;

"12. Strongly urges the Government of Chile to assure the full implementation of the recommendations of the Special Rapporteur, and in particular urges the Government to:

(a) Take effective measures to promote an atmosphere conducive to a peaceful transition to democracy;

(b) Review and amend existing procedures and laws so as to restore fundamental freedoms;

(c) Assure full freedom of assembly and freedom of expression;

(d) Protect the activities of organizations and individuals related to the protection and promotion of human rights;

(e) Immediately put an end to all forms of torture by police and security forces;

(f) Proceed through judicial and administrative action to investigate all reports of torture, killings, kidnappings or other abuses, and identify and punish those responsible for abuses;

(g) Assure the maximum effectiveness of judicial remedies, particularly amparo and habeas corpus, and the absolute independence of judicial power;

(h) Respect the right of citizens to reside in their country of origin;

"13. Requests that the Government of Chile continue its co-operation with the Special Rapporteur and provide the Special Rapporteur with the same co-operation and freedom of access necessary to his mission as were provided during his previous visit in 1985, and invites the Government to submit again any comments it may have to the Commission on Human Rights before the forty-fourth session;

"14. Decides to extend the mandate of the Special Rapporteur for one year;

"15. Decides to consider at its forty-fourth session the question of the human rights situation in Chile under the agenda 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'."

84. At the 57th meeting, on 12 March 1987, the representative of Mexico introduced draft resolution E/CN.4/1987/L.89 and orally revised it as follows:

(a) In the ninth preambular paragraph the word "internal" was inserted between the word "administrative" and the word "banishment";

(b) The tenth preambular paragraph of the original draft resolution, which read:

"Noting also that the establishment of electoral registers and the announced laws on political parties represent initial steps towards a democratic rule of law, but in the absence of a framework for free elections do not meet the basic requirements of such a rule of law, or of the principle that there should be no discrimination based on political opinions or on other grounds, which is an integral part of the International Bill of Human Rights,"

was reworded;

(c) Operative paragraph 2 of the original draft resolution, which reads:

"2. Welcomes the fact that the Government of Chile has authorized the Special Rapporteur to visit the country again and expresses its confidence that that Government will provide the Special Rapporteur with its co-operation and freedom of access to means for carrying out his investigation, but regrets that such authorization did not grant the Special Rapporteur the opportunity he requested to prepare the present report in accordance with his mandate, and that the Government's co-operation with the efforts of the United Nations has not led to a substantial improvement in the situation of human rights and fundamental freedoms;"

was reworded.

85. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.92) of draft resolution E/CN.4/1987/L.89. 1/

86. Statements relating to the draft resolution were made by the representative of Senegal and by the observer for Chile.

87. The draft resolution, as orally revised, was adopted without a vote.

88. Statements in explanation of vote after the vote were made by the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

89. For the text of the resolution, see chapter II, section A, resolution 1987/60.

90. At the same meeting, the representative of the United States of America withdrew draft resolution E/CN.4/1987/L.90.

VI. VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA:
REPORT OF THE AD HOC WORKING GROUP OF EXPERTS

91. The Commission considered agenda item 6 concurrently with items 7, 16 and 17 (see chaps. VII, XVI and XVII) at its 15th to 21st meetings, held from 11 to 16 February, and at its 38th and 44th meetings, held on 26 February and 3 March 1987. 2/

92. The Commission had before it the following documents:

Report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1987/8 and E/CN.4/AC.22/1987/1);

Letter dated 4 February 1987 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1987/42);

Letter dated 3 February 1987 from the Chairman of the Ad Hoc Working Group of Experts on southern Africa addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1987/47);

Written statement submitted by Rádda Barnen International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/4);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/22);

Written statement submitted by the Commission of the Churches on International Affairs of the World Council of Churches, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/28);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/32);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1987/NGO/34);

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/46).

93. At the 17th meeting, on 12 February 1987, Mr. F. Ermacora, a member of the Ad Hoc Working Group of Experts, introduced the report of the Group.

94. In the general debate on the item, 3/ statements were made by the following members of the Commission: Algeria (16th), Argentina (19th), Australia (17th), Austria (19th), Bangladesh (19th), Belgium (18th), Brazil (19th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (18th), China (17th), Colombia (16th), Costa Rica (16th), Cyprus (18th), Ethiopia (16th), France (19th), Gambia (21st), German Democratic Republic (17th), Germany, Federal Republic of (17th), India (15th), Iraq (19th), Ireland (17th), Italy (20th), Japan (18th), Mexico (18th), Mozambique (19th), Nicaragua (16th), Norway (16th), Pakistan (19th), Peru (18th), Rwanda (19th), Senegal (16th and 19th), Somalia (17th), Sri Lanka (18th), Togo (21st), Union of Soviet Socialist Republics (18th), United Kingdom of Great Britain and Northern Ireland (19th), United States of America (16th), Venezuela (19th), Yugoslavia (17th).

95. The Commission also heard statements by the observers for: Afghanistan (18th), Angola (21st), Canada (18th), Cuba (20th), Czechoslovakia (20th), Democratic Kampuchea (20th), Democratic Yemen (20th), Egypt (20th), Hungary (20th), Iran (Islamic Republic of) (20th), Israel (21st), Kenya (17th), Mongolia (20th), Morocco (21st), Nigeria (21st), Poland (21st), Portugal (18th), Spain (21st), Syrian Arab Republic (17th), Turkey (20th), Ukrainian Soviet Socialist Republic (17th), United Republic of Tanzania (17th), Viet Nam (20th).

96. Statements were made by the observers for the League of Arab States (21st) and the Organization of African Unity (17th).

97. Statements were also made by the observers for the African National Congress of South Africa (16th) and the South West Africa People's Organization (15th).

98. The Commission also heard statements by the following non-governmental organizations: Amnesty International (21st), Commission of the Churches on International Affairs of the World Council of Churches (15th), International Confederation of Free Trade Unions (15th), International Federation of Human Rights (18th), International Movement for Fraternal Union among Races and Peoples (15th and 18th), Jaycees International (17th), Pax Romana (20th), R dda Barnen International (15th), World Confederation of Labour (15th), World Federation of Trade Unions (21st), World Union for Progressive Judaism (15th).

99. On 18 February 1987, a draft resolution (E/CN.4/1987/L.13) was submitted by the United States of America reading as follows:

"Situation of human rights in South Africa

"The Commission on Human Rights,

"Recognizing that apartheid is a gross violation of the fundamental human rights of the people of South Africa,

"Noting that gross and cruel violations of human rights under apartheid continue to take place in South Africa,

"Acknowledging that apartheid violates the basic principles of the Universal Declaration of Human Rights, particularly the right to equality before the law and to non-discriminatory treatment,

"Deeply disturbed by widespread reports of South Africa's use of the army and the police in the black African townships, resulting in acts of violence against men, women and children,

"Considering that the struggle of the South African people for a united, non-racial democratic society enjoys the full support of the international community,

"Bearing in mind the principles contained in the Charter of the United Nations concerning the right of peoples to self-determination,

"1. Affirms that in order to build a true democracy apartheid should be abolished in all its forms through peaceful means, and rejects:

(a) The perpetuation of apartheid and other forms of racial intolerance and discrimination;

(b) The exclusion of the majority black population from participating in the political, social, economic and cultural life of their country;

(c) The denial to the black population of their full citizenship rights;

"2. Strongly condemns the dramatic escalation of the violation of human rights in South Africa since the imposition of the state of emergency in June 1986 and the subsequent regulations;

"3. Strongly condemns also the widespread detention and incarceration of children under the apartheid penal system;

"4. Unequivocally calls for termination of the existing state of emergency, the abolition of the apartheid laws, the dismantling of the bantustans, the lifting of the bans on all political organizations and parties, the return of all political exiles and the unconditional and immediate release of Mr. Nelson Mandela and all other political prisoners in South Africa;

"5. Urges that South Africa desist from its harassment of organizations and individuals engaged in the legitimate struggle against apartheid policies;

"6. Strongly condemns South Africa for any indiscriminate use of force against unarmed demonstrators;

"7. Calls upon South Africa to respect international standards on trade-union rights in respect of black trade unions;

"8. Urges that South Africa afford the people of South Africa access to legitimate vehicles for expressing their political, social and cultural aspirations;

"9. Urges that South Africa take immediate steps to ensure that all South Africans are afforded the opportunity of access to a unified, free educational system;

"10. Urges that South Africa completely abolish the unjust and inhumane system of apartheid in all its forms;

"11. Commends the international community for its unflagging support for all the people of South Africa and their legitimate efforts to exercise self-determination;

"12. Asserts that enjoyment by South Africans of all the fundamental human rights contained in the Universal Declaration of Human Rights is essential for the exercise of genuine self-determination;

"13. Emphasizes that the following rights, in particular, are of great importance in building free, democratic institutions in South Africa:

- (a) The right to worship freely;
- (b) The right to freedom of expression and opinion;
- (c) The right to a free and unimpeded flow of information;
- (d) The right to form free and independent trade unions;
- (e) The right to associate freely with others;
- (f) The right to own property;

(g) The right to participate in a political system based upon common and equal citizenship, universal franchise and duly elected representative institutions;

"14. Urges the United Nations system, and in particular the Centre for Human Rights, to promote assistance through advisory services to South Africans peacefully attempting to establish democracy in South Africa;

"15. Calls upon Governments and peoples, in co-ordination with the United Nations, to lend material and technical assistance to South Africans peacefully striving to establish a free and open society in South Africa, especially in the following areas:

(a) Legal assistance for South Africans seeking peacefully to establish democratic institutions and organizations;

(b) Advice and assistance for the creation of free and open political institutions in South Africa;

(c) Material support to individuals or groups in South Africa seeking to engage in entrepreneurial activity;

(d) The creation of self-help organizations at the community level;

"16. Requests the Secretary-General to publicize widely efforts made to bring about peaceful change and greater enjoyment of fundamental human freedoms in South Africa."

100. On 24 February 1987, amendments (E/CN.4/1987/L.28) to draft resolution E/CN.4/1987/L.13 were submitted by Algeria, Angola*, the Congo, Ethiopia, Gabon*, India, Kenya*, the Libyan Arab Jamahiriya*, Mozambique, Nigeria*, Rwanda, Senegal, Somalia, the Syrian Arab Republic*, Togo and Zimbabwe*. The Gambia, Iraq and Madagascar* subsequently joined the sponsors of the amendments, which read as follows:

"1. In the second preambular paragraph, after the word 'Noting', add the words 'with great concern'.

"2. In the third preambular paragraph, replace 'Acknowledging' by 'Convinced'.

"3. Amend the fourth preambular paragraph to read:

'Deeply outraged by South Africa's widespread use of the army, the police and mercenaries, resulting in acts of violence against men, women and children,'.

"4. In the fifth preambular paragraph, replace 'Considering' by 'Convinced further'.

"5. Add a new sixth preambular paragraph, which would read:

'Recognizing the legitimate right of the oppressed people of South Africa to the total eradication of apartheid,'.

"6. After the existing sixth preambular paragraph, add a new preambular paragraph, which would read:

'Affirming that it is the responsibility of all States to exert pressure on South Africa with a view to totally isolating the apartheid régime,'.

"7. Amend operative paragraph 1 to read:

'Affirms that, in order to build a true democracy, apartheid must be abolished in all its forms, by all available means, including armed struggle, and demands an immediate end to:

(a) Apartheid and other forms of racial discrimination;'.
'

Subparagraphs (b) and (c) would remain unchanged. Two new subparagraphs would be added to read:

(d) Forced removal of black people from their homes;

(e) Forced conscription into the racist army and use of hired armed black bands against those engaged in the struggle against apartheid in South Africa;'.
'

"8. In operative paragraph 2, replace 'South Africa' by 'South African régime'.

"9. Add a new operative paragraph 4, which would read:

'Strongly condemns the acts of aggression and destabilization perpetrated by the racist régime of South Africa against the front-line and other States in the region;'.
'

"10. In existing operative paragraph 5, replace 'Unequivocally calls for' by 'Demands the immediate' and add ', Zephania Methopeng' after 'Nelson Mandela'.

"11. In existing operative paragraph 5, replace 'Urges' by 'Demands' and delete 'policies'.

"12. In existing operative paragraph 7, replace 'Calls upon' by 'Demands that'.

"13. Delete existing operative paragraph 8.

"14. Amend existing operative paragraph 9 to read:

'Demands that South Africa take immediate steps to ensure the right of all South Africans to a unified and free educational system;'.
'

"15. In existing operative paragraph 10, replace 'Urges' by 'Demands'.

"16. In existing operative paragraph 11, add the words 'overwhelming majority of the' after the words 'Commends the', delete the word 'unflinching' and add the words 'in a united non-racial State' at the end of the paragraph.

"17. After existing operative paragraph 11, as amended, add a new operative paragraph (13), which would read:

'Calls upon the international community to increase its support and assistance for the legitimate struggle of the South African people in the exercise of their inalienable right to self-determination;'.
'

"18. In existing operative paragraph 12, replace 'Universal Declaration of Human Rights' by 'International Bill of Human Rights'.

"19. Amend existing operative paragraph 13 to read:

'Emphasizes that in particular the right to participate in a political system based upon common and equal citizenship, universal franchise and duly elected representative institutions is essential in building free, democratic institutions in South Africa;'

"20. Delete existing operative paragraph 14.

"21. In existing operative paragraph 15, replace the words 'South Africans peacefully' by the words 'the national liberation movements, recognized by the Organization of African Unity and the United Nations, which are'.

Amend subparagraph (a) to read:

'Legal assistance to all the victims of apartheid in South Africa;'

"22. After existing operative paragraph 15, add two new operative paragraphs which would read:

'Deeply regrets the negative votes cast by two permanent members of the Security Council on 20 February 1987, which prevented the Council from imposing mandatory sanctions against the South African régime under Chapter VII of the Charter of the United Nations;

Expresses the fervent hope that the Security Council will be enabled, in the very near future, to impose mandatory sanctions against the South African régime, in discharge of its responsibility under Chapter VII of the Charter of the United Nations;'

"23. Amend existing operative paragraph 16 to read:

'Requests the Secretary-General to disseminate the present resolution widely.'

"24. Renumber the operative paragraphs accordingly."

101. At the 44th meeting, on 3 March 1987, draft resolution E/CN.4/1987/L.13 and the amendments thereto contained in document E/CN.4/1987/L.28 were withdrawn.

102. At the 38th meeting, on 26 February 1987, the representative of the Gambia introduced draft resolution E/CN.4/1987/L.16, sponsored by Algeria, Angola*, Burundi*, the Congo, Cuba*, Democratic Yemen*, Ethiopia, the Gambia, India, Kenya*, the Libyan Arab Jamahiriya*, Madagascar*, Mozambique, Nigeria*,

Rwanda, Senegal, Somalia, Sri Lanka, Sudan*, the Syrian Arab Republic*, the United Republic of Tanzania*, Viet Nam*, Yugoslavia and Zimbabwe*. Afghanistan*, the German Democratic Republic and Qatar* subsequently joined the sponsors.

103. The representative of the Federal Republic of Germany requested a vote on draft resolution E/CN.4/1987/L.16. At the request of the representative of the Gambia, the vote was taken by roll-call. The draft resolution was adopted by 35 votes to none, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Liberia, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Germany, Federal Republic of, Italy, Japan, United Kingdom of Great Britain and Northern Ireland, United States of America.

104. At the same meeting, statements in explanation of vote after the vote were made by Australia, the Federal Republic of Germany, Italy, Japan and the United States of America.

105. At the 44th meeting, on 3 March 1987, statements in explanation of vote after the vote were made by the representatives of Austria, Ireland and Norway.

106. For the text of the resolution, see chapter II, section A, resolution 1987/8.

107. On 18 February 1987, a draft resolution (E/CN.4/1987/L.17) was submitted by Algeria, Angola*, China, the Congo, Ethiopia, Gabon*, India, Kenya*, the Libyan Arab Jamahiriya*, Mozambique, Nigeria*, Pakistan, Rwanda, Senegal, Somalia, the Syrian Arab Republic*, Togo and Zimbabwe*, reading as follows:

"Situation of human rights in South Africa

"The Commission on Human Rights,

"Recalling its resolution 2 (XXIII) of 6 March 1967, by which it set up the Ad Hoc Working Group of Experts on southern Africa, and its resolutions 21 (XXV) of 19 March 1969, 7 (XXVII) of 8 March 1971, 19 (XXIX) of 3 April 1973, 5 (XXXI) of 14 February 1975, 6 A to C (XXXIII) of 4 March 1977, 12 (XXXV) of 6 March 1979, 5 (XXXVII) of 23 February 1981, 1982/8 of 25 February 1982, 1983/9 of 18 February 1983, 1984/5 of 28 February 1984, 1985/8 of 26 February 1985 and 1986/4 of 28 February 1986,

"Recalling General Assembly resolutions 39/15 of 23 November 1984 and 40/64 A to I of 10 December 1985 and Economic and Social Council resolution 1984/42 of 24 May 1984,

"Having examined the report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/AC.22/1987/1 and E/CN.4/1987/8),

"Recognizing the value of the reports of the Ad Hoc Working Group in the efforts of the United Nations to expose and combat apartheid and gross violations of human rights in South Africa,

"Noting that the Ad Hoc Working Group has concluded in its previous reports that the effects of apartheid have resulted in certain criminal consequences similar to those prohibited in the Convention on the Prevention and Punishment of the Crime of Genocide,

"Noting that gross and cruel violations of human rights under apartheid continue to take place in South Africa,

"Outraged by South Africa's escalation of methods of terror, especially the use of the army, the police and murder squads in the black African townships where massacres and daily killings of defenceless men, women and children have become the order of the day,

"Deeply concerned about racist South Africa's undeclared war of destabilization of and aggression against the neighbouring independent African States,

"Noting with indignation Pretoria's persistent blackmail, coercion, and threats of full-scale aggression against southern African States,

"Reiterating its conviction that the apartheid system in South Africa is the root cause of conflict in the sub-continent and that this inhuman policy constitutes a threat to peace and security, particularly in Africa,

"Considering that the South African people's struggle in all its forms for a united, non-racial democratic society enjoys the full support of the progressive international community,

"Convinced that the immediate imposition of effective sanctions against South Africa can help to avert the outbreak of a racial conflagration in the region,

"Satisfied with the success scored by the oppressed people of South Africa in their united mass action to make apartheid unworkable,

"Appreciating the traditional support and assistance provided to people struggling against apartheid,

"Encouraged by the world-wide momentum against apartheid including the gesture of the American Congress, and the consensus in favour of sanctions against racist South Africa,

"Appreciating the continuing supportive role of the front-line and other neighbouring States at this time of perseverance and steadfastness, and their call for the immediate lifting of the ban on the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political organizations,

"1. Congratulates the Ad Hoc Working Group of Experts for the commendable and impartial manner in which it has prepared its report;

"2. Expresses its profound indignation at the fact that apartheid remains institutionalized;

"3. Denounces again the policy of 'bantustanization', the forced removals of the black population, the policy of so-called 'voluntary' removals and the policy of denationalization;

"4. Affirms the conviction that apartheid cannot be reformed but should be abolished in all its forms and hence reaffirms its rejection as null and void of the so-called constitutional arrangements in South Africa, as they, inter alia:

(a) Serve to perpetuate apartheid and other forms of racial intolerance and discrimination;

(b) Continue to exclude the majority black population from participating in the political, social, economic and cultural life of their country;

(c) Continue to deny the black population their full citizenship rights;

"5. Strongly condemns the dramatic escalation of violations of human rights in South Africa since the imposition of the state of emergency in June 1986 and other subsequent regulations;

"6. Strongly condemns also the widespread detention and incarceration of children under the inhuman apartheid penal system;

"7. Unequivocally rejects South Africa's so-called reforms, which fall short of the termination of the existing state of emergency, the abolition of the apartheid laws, the dismantling of the 'bantustans', the lifting of the bans on all political organizations and parties, the return of all political exiles and freedom fighters and the unconditional release of all political prisoners with whom the régime must deal in bringing about changes based on the 'one person, one vote' principle in a non-fragmented South Africa;

"8. Demands the unconditional and immediate release of Mr. Nelson Mandela, Mr. Zephania Mothopeng and all political prisoners in South Africa;

"9. Demands the lifting of the ban on the African National Congress of South Africa, the Pan Africanist Congress of Azania and other political organizations;

"10. Demands that South Africa desist from its brutal repression, torture and harassment of organizations and individuals engaged in the legitimate struggle against the apartheid policies;

"11. Strongly condemns South Africa for its indiscriminate use of force against unarmed demonstrators, its widespread use of torture against political opponents and its inhumane detention and incarceration of minors;

"12. Calls on South Africa to respect international standards on trade-union rights in respect of black trade unions and particularly to desist from harassing, intimidating, arresting and maltreating black trade-union leaders;

"13. Demands that South Africa repeal its ban on the popular organizations so as to afford the masses of South Africa access to legitimate vehicles for expressing their political, social and cultural aspirations;

"14. Commends all movements and mass organizations of South Africa for their resistance and united action to make the apartheid system unworkable;

"15. Demands that South Africa take immediate steps to ensure that all South Africans are afforded the opportunity of access to a unified, free educational system designed to be consistent with the development of a profound appreciation of the brotherhood of mankind, liberty and peace;

"16. Demands that South Africa immediately and completely abolish the unjust and inhumane system of apartheid in all its forms;

"17. Condemns South Africa for its military pressures and other destabilization policies towards the front-line States and for its support, encouragement and provision of material resources to armed bands and mercenaries who seek to destabilize front-line and neighbouring States;

"18. Appreciates and commends the front-line and other neighbouring States for their unending sacrifice to the cause of freedom and human dignity in South Africa and calls upon the international community to increase its financial, material, political and moral support to the national liberation movements of South Africa and also the front-line States to enhance their capability to bring to an immediate end apartheid and its diabolic and repressive institutions;

"19. Urges all States which have not yet done so to cease any form of support or assistance to the racist régime of South Africa;

"20. Recommends the early convening of the United Nations Security Council to take effective action against South Africa;

"21. Takes note with interest, pending the adoption of effective action by the Security Council, of the following measures that have been adopted by certain countries and organizations:

- (a) Prohibition of the transfer of technology to South Africa;
- (b) Cessation of exports, sales or transport of oil and oil products to South Africa, and of any co-operation with South Africa's oil industry;
- (c) Cessation of further investments in and financial loans to South Africa or Namibia and of any governmental insurance guarantee of credits to the racist régime;
- (d) Cessation of all promotion of or support for trade with South Africa, including governmental assistance to trade missions;
- (e) Prohibition of the sale of krugerrand and any other coins minted in South Africa;
- (f) Prohibition of imports from South Africa of agricultural products, coal, uranium, iron and steel, etc.;
- (g) Termination of any visa-free entry privileges and of the promotion of tourism to South Africa;
- (h) Termination of air and shipping links with South Africa;
- (i) Cessation of all academic, cultural, scientific and sports relations with South Africa, and of relations with individuals, institutions and other bodies endorsing or based on apartheid;
- (j) Suspension or abrogation of agreements with South Africa, such as agreements on cultural and scientific co-operation;
- (k) Termination of double taxation agreements with South Africa;
- (l) Ban on government contracts with majority-owned South African companies;

"22. Strongly recommends that the Economic and Social Council consider the possibility of having a year declared 'Academic Year against Apartheid' in order to make international public opinion, particularly youth, fully aware of the realities of apartheid;

"23. Recalls the adoption by the General Assembly of the International Convention against Apartheid in Sports in resolution 40/64 G of 10 December 1985;

"24. Decides to renew the mandate of the Ad Hoc Working Group of Experts, composed of the following persons acting in their personal capacity: Mr. ...; Mr. Branimir Jankovic (Yugoslavia); Mr. Felix Ermacora (Austria); Mr. Humberto Díaz Casanueva (Chile); Mr. Mulka Govinda Reddy (India) and Mr. Mikuin Leliel Balanda (Zaire);

"25. Decides that the Ad Hoc Working Group of Experts should continue to investigate and study the policies and practices which violate human rights in South Africa and Namibia;

"26. Requests the Ad Hoc Working Group of Experts, in co-operation with the Special Committee against Apartheid and other investigatory and monitoring bodies, to continue to investigate cases of torture and ill-treatment of detainees and the deaths of detainees in South Africa;

"27. Takes note of the studies and findings of the Ad Hoc Working Group of Experts contained in its report;

"28. Renews its request to the Government of South Africa to allow the Ad Hoc Working Group of Experts to make on-the-spot investigations of the living conditions in prisons in South Africa and Namibia and the treatment of prisoners in such a manner that:

(a) The Ad Hoc Working Group of Experts would be guaranteed free, confidential access to any prisoner, detainee, ex-prisoner, ex-detainee or any other persons;

(b) The South African Government would provide a firm undertaking that any person providing evidence for such an investigation would be granted immunity from any State action arising from participation in the investigation;

"29. Requests the Ad Hoc Working Group to continue to bring to the attention of the Chairman of the Commission on Human Rights, for whatever action he may deem appropriate, particularly serious violations of human rights in South Africa which may come to its attention during its studies;

"30. Authorizes the Chairman of the Ad Hoc Working Group within existing resources to participate in conferences, symposia, seminars or other events connected with action against apartheid organized under the auspices of the Special Committee against Apartheid;

"31. Requests the Ad Hoc Working Group to submit its final report to the Commission at its forty-fourth session;

"32. Requests the Secretary-General to provide every assistance within available resources to enable the Ad Hoc Working Group of Experts to discharge its responsibilities in accordance with the relevant provisions of the present resolution;

"33. Requests the Economic and Social Council to transmit the present resolution to the General Assembly, the Security Council, the Special Committee against Apartheid and the United Nations Council for Namibia."

108. At the 44th meeting, on 3 March 1987, the representative of the Gambia introduced a revised draft resolution (E/CN.4/1987/L.17/Rev.1) sponsored by Algeria, Angola*, China, the Congo, Ethiopia, Gabon*, India, Kenya*, the Libyan Arab Jamahiriya*, Mozambique, Nigeria*, Pakistan, Rwanda, Senegal, Somalia, the Syrian Arab Republic*, Togo and Zimbabwe*, and subsequently also by Cuba*, the Gambia, Iraq, Nicaragua and the United Republic of Tanzania*.

109. The representative of the Gambia orally revised draft resolution E/CN.4/1987/L.17/Rev.1 as follows:

(a) In operative paragraph 18, the first two words "Appreciates and" were deleted;

(b) In operative paragraph 20, the words:

"Deeply regrets the negative votes cast by two permanent members of the Security Council on 20 February 1987, which prevented the Council from imposing mandatory sanctions ..."

were replaced by the words:

"Deeply regrets the fact that the Security Council was prevented on 20 February 1987 from imposing mandatory sanctions ...".

110. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.21) of draft resolution E/CN.4/1987/L.17 which also applied to the revised draft resolution. 1/

111. Statements relating to the revised draft resolution (E/CN.4/1987/L.17/Rev.1), as orally revised, were made by the representative of the United States of America, the observer for the United Republic of Tanzania and the observer for the Pan Africanist Congress of Azania.

112. Statements in explanation of vote before the vote were made by the representatives of France, Iraq, Italy and the United Kingdom of Great Britain and Northern Ireland.

113. At the request of the Byelorussian Soviet Socialist Republic, a roll-call vote was taken on draft resolution E/CN.4/1987/L.17/Rev.1, as orally revised, which was adopted by 36 votes to 3, with 3 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Italy, Lesotho, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, France, Japan.

114. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, Belgium, the Federal Republic of Germany, Ireland and Norway.

115. For the text of the resolution, see chapter II, section A, resolution 1987/14.

VII. THE ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF
POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE
GIVEN TO COLONIAL AND RACIST REGIMES IN SOUTHERN AFRICA

116. The Commission considered agenda item 7 concurrently with items 6, 16 and 17 (see chaps. VI, XVI and XVII) at its 15th to 21st meetings, held from 11 to 16 February, and at its 38th and 44th meetings, held on 26 February and 3 March 1987. 2/

117. The Commission had before it the following documents:

Updated report prepared by Mr. A. Khalifa, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/Sub.2/1987/8/Rev.1);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/14).

118. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (16th), Argentina (19th), Australia (17th), Bangladesh (19th), Belgium (18th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (18th and 19th), Colombia (16th), Cyprus (18th), Ethiopia (18th), France (19th), Gambia (21st), German Democratic Republic (17th), Germany, Federal Republic of (17th), India (15th), Iraq (19th), Italy (20th), Japan (18th), Mexico (18th), Mozambique (19th), Nicaragua (16th), Norway (16th), Pakistan (19th), Peru (18th), Rwanda (19th), Senegal (16th), Somalia (17th), Sri Lanka (18th), Togo (21st), Union of Soviet Socialist Republics (18th), United Kingdom of Great Britain and Northern Ireland (19th), Venezuela (19th), Yugoslavia (17th).

119. The Commission also heard statements by the observers for: Afghanistan (18th), Angola (21st), Canada (18th), Cuba (20th), Czechoslovakia (20th), Democratic Kampuchea (20th), Democratic Yemen (20th), Egypt (20th), Hungary (20th), Iran (Islamic Republic of) (20th), Mongolia (20th), Morocco (21st), Poland (21st), Spain (21st), Syrian Arab Republic (17th), Ukrainian Soviet Socialist Republic (17th), United Republic of Tanzania (20th), Viet Nam (20th).

120. Statements were made by the observers for the League of Arab States (21st) and the Organization of African Unity (17th).

121. A statement was made by the observer for the South West Africa People's Organization (15th).

122. The Commission also heard statements by the following non-governmental organizations: Commission of the Churches on International Affairs of the World Council of Churches (15th), International Confederation of Free Trade Unions (15th), Pax Romana (20th), World Federation of Trade Unions (21st).

123. On 18 February 1987, a draft resolution (E/CN.4/1987/L.14) was submitted by Afghanistan*, Algeria, Angola*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, the Congo, Cuba*, Ethiopia, the Gambia, the German Democratic Republic, India, Iran (Islamic Republic of)*, Kenya*, the Libyan Arab Jamahiriya*, Mongolia*, Mozambique, Nigeria*, Pakistan, Somalia, Sudan*, the Syrian Arab Republic*, the Ukrainian Soviet Socialist Republic*, the Union of Soviet Socialist Republics, the United Republic of Tanzania* and Viet Nam*.

124. At the 38th meeting, on 26 February 1987, the representative of Algeria introduced a revised draft resolution (E/CN.4/1987/L.14/Rev.1) which differed from draft resolution E/CN.4/1987/L.14 in that new fourteenth and eighteenth preambular paragraphs and a new operative paragraph 14 were added. The sponsors of the revised draft resolution were the same as those of draft resolution E/CN.4/1987/L.14 and were subsequently joined by Czechoslovakia*, Nicaragua and Qatar*.

125. The representative of the United Kingdom of Great Britain and Northern Ireland requested a roll-call vote on draft resolution E/CN.4/1987/L.14/Rev.1, which was adopted by 30 votes to 6, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Liberia, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Australia, Austria, Costa Rica, Ireland, Japan, Norway.

126. At the same meeting, statements in explanation of vote after the vote were made by the representatives of Australia and Japan.

127. At the 44th meeting, on 3 March 1987, statements in explanation of vote after the vote were made by the representatives of Austria and Norway.

128. For the text of the resolution, see chapter II, section A, resolution 1987/9.

129. At the 38th meeting, on 26 February 1987, the representative of Algeria introduced draft resolution E/CN.4/1987/L.15, sponsored by Afghanistan*, Algeria, Angola*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, the Congo, Cuba*, Ethiopia, the Gambia, the German Democratic Republic, India, Iran (Islamic Republic of)*, Kenya*, the Libyan Arab Jamahiriya*, Mongolia*, Mozambique, Nigeria*, Pakistan, Somalia, Sudan*, the Syrian Arab Republic*, the Ukrainian Soviet Socialist Republic*, the Union of Soviet Socialist Republics, the United Republic of Tanzania* and Viet Nam*. Czechoslovakia* and Qatar* subsequently joined the sponsors.

130. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications of draft resolution E/CN.4/1987/L.15. 1/

131. The representative of the United Kingdom of Great Britain and Northern Ireland requested a roll-call vote on draft resolution E/CN.4/1987/L.15, which was adopted by 31 votes to 5, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Liberia, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Belgium, France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Ireland, Italy, Japan, Norway.

132. At the same meeting, statements in explanation of vote after the vote were made by the representatives of Australia and Japan.

133. At the 44th meeting, on 3 March 1987, statements in explanation of vote after the vote were made by the representatives of Austria and Norway.

134. For the text of the resolution, see chapter II, section A, resolution 1987/10.

VIII. QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: (a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; THE RIGHT TO DEVELOPMENT; (b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS; (c) POPULAR PARTICIPATION IN ITS VARIOUS FORMS AS AN IMPORTANT FACTOR IN DEVELOPMENT AND IN THE FULL REALIZATION OF ALL HUMAN RIGHTS

135. The Commission considered agenda item 8 concurrently with item 18 (see chapter XVIII) at its 25th and 26th meetings, held on 18 February, at its 28th to 31st meetings, held on 19, 20 and 23 February, and at its 53rd and 54th meetings, held on 10 March 1987. 2/

136. The Commission had before it the following documents:

Report of the Secretary-General on problems related to the right to enjoy an adequate standard of living; the right to development (E/CN.4/1987/9 and Add.1);

Report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1987/10);

Report of the Secretary-General on popular participation in its various forms as an important factor in development and in the full realization of all human rights (E/CN.4/1987/11);

Note verbale dated 5 December 1986 from the Permanent Mission of the Netherlands to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a paper entitled "The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights" (E/CN.4/1987/17);

Written statements submitted by the International Movement ATD Fourth World, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/2 and E/CN.4/1987/NGO/55);

Written communication submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization on the Roster (E/CN.4/1987/NGO/5);

Written statement submitted by the International Federation of Rural Adult Catholic Movements, a non-governmental organization on the Roster (E/CN.4/1987/NGO/24);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/44);

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/45);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/47).

137. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (26th), Argentina (29th), Australia (25th), Austria (31st), Belgium (29th), Brazil (26th), Bulgaria (28th), Byelorussian Soviet Socialist Republic (28th), China (28th), Colombia (29th), France (26th), German Democratic Republic (25th, 28th), Germany, Federal Republic of (26th), India (29th), Iraq (26th), Ireland (26th), Italy (30th), Japan (26th), Mexico (28th), Nicaragua (29th), Norway (26th), Pakistan (29th), Peru (29th), Rwanda (28th), Senegal (25th), Union of Soviet Socialist Republics (28th and 29th), United Kingdom of Great Britain and Northern Ireland (28th), United States of America (29th), Yugoslavia (26th, 28th).

138. The Commission heard statements by the observers for: Afghanistan (31st), Cuba (31st), Czechoslovakia (31st), Hungary (30th), Kenya (30th), Netherlands (30th), Poland (31st), Syrian Arab Republic (31st), Ukrainian Soviet Socialist Republic (31st).

139. Statements were also made by the following non-governmental organizations: Baha'i International Community (30th), Four Directions Council (30th), International Commission of Jurists (30th), International Federation of Rural Adult Catholic Movements (30th), International Fellowship of Reconciliation (30th), International Indian Treaty Council (31st), International League for the Rights and Liberation of Peoples (31st), International Movement ATD Fourth World (29th), International Movement for Fraternal Union among Races and Peoples (31st), Jaycees International (30th), Pax Romana (30th).

140. At the 53rd meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 8.

141. Draft resolution E/CN.4/1987/L.24, sponsored by the United States of America, was introduced by the representative of that country.

142. At the same meeting, the representative of China made a statement relating to the draft resolution.

143. At the 54th meeting, on 10 March 1987, the representative of the German Democratic Republic made a statement relating to the draft resolution.

144. At the same meeting, the representative of China requested a roll-call vote on draft resolution E/CN.4/1987/L.24. The draft resolution was adopted by 30 votes to none, with 11 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Colombia, Costa Rica, Cyprus, France, Gambia, Germany, Federal Republic of, India, Ireland, Italy, Japan, Lesotho, Mexico, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: None.

Abstaining: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Ethiopia, German Democratic Republic, Iraq, Mozambique, Nicaragua, Union of Soviet Socialist Republics.

145. A statement in explanation of vote after the vote was made by the representative of Mexico.

146. For the text of the resolution, see chapter II, section A, resolution 1987/17.

147. At the 53rd meeting, on 10 March 1987, draft resolution E/CN.4/1987/L.25, sponsored by the German Democratic Republic, was introduced by the representative of that country.

148. The representative of the German Democratic Republic orally revised draft resolution E/CN.4/1987/L.25 as follows:

(a) The sixth preambular paragraph, which read:

"Stating that from this right results the right of each State to regulate and exercise authority over foreign investment within its national jurisdiction in accordance with its laws and regulations and in conformity with its national objectives and priorities and to nationalize, expropriate or transfer ownership of foreign property,"

was deleted;

(b) In the eighth preambular paragraph the word "international" was inserted between the words "Convinced also that" and the words "social development";

(c) Operative paragraph 4, which read:

"4. Strongly denounces the activities of transnational corporations in developing countries which adversely affect the full implementation of human rights in those countries;"

was reworded.

149. At the 54th meeting, on 10 March 1987, the representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.25. At the request of the representative of the German Democratic Republic, the vote was taken by roll-call. The draft resolution, as orally revised, was adopted by 28 votes to 11, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Lesotho, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Australia, Austria, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bangladesh, Costa Rica.

150. At the same meeting, statements in explanation of vote after the vote were made by the representatives of Austria, Belgium and the United States of America.

151. For the text of the resolution, see chapter II, section A, resolution 1987/18.

152. At the 53rd meeting, on 10 March 1987, the representative of the German Democratic Republic introduced draft resolution E/CN.4/1987/L.27, sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia*, Ethiopia, the German Democratic Republic, India, Nicaragua and the Syrian Arab Republic*. Argentina and Cuba* subsequently joined the sponsors.

153. At the 54th meeting, on 10 March 1987, a statement in explanation of vote before the vote was made by the representative of the Federal Republic of Germany.

154. At the same meeting, the representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.27. At the request of the representatives of Belgium and the German Democratic Republic, the vote was taken by roll-call. The draft resolution was adopted by 27 votes to 10, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela.

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

Abstaining: Australia, Brazil, Costa Rica, Lesotho, Yugoslavia.

155. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, Belgium and Japan.

156. For the text of the resolution, see chapter II, section A, resolution 1987/19.

157. At the 53rd meeting, on 10 March 1987, the representative of Australia introduced draft resolution E/CN.4/1987/L.34, sponsored by Australia, Austria, Costa Rica, Egypt*, Finland*, the Gambia, the German Democratic Republic, India, Kenya*, the Netherlands*, Norway, Peru, the Philippines and Spain*. Belgium, Bulgaria, Cyprus, Senegal and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

158. The representative of Australia orally revised operative paragraph 4 of draft resolution E/CN.4/1987/L.34 by replacing the words "the implementation of" by the words "full respect for the rights contained in".

159. At the 54th meeting, on 10 March 1987, draft resolution E/CN.4/1987/L.34, as orally revised, was adopted without a vote.

160. Statements in explanation of vote after the vote were made by the representatives of Belgium, the Federal Republic of Germany, Japan and the United States of America.

161. For the text of the resolution, see chapter II, section A, resolution 1987/20.

162. At the 53rd meeting, on 10 March 1987, the representative of Yugoslavia introduced draft resolution E/CN.4/1987/L.37, sponsored by Algeria, Bangladesh, China, Colombia, Costa Rica, Cuba*, Cyprus, Ethiopia, the German Democratic Republic, India, Jordan*, Nicaragua, Peru, the Philippines, Poland*, the Syrian Arab Republic* and Yugoslavia.

163. At the 54th meeting, on 10 March 1987, draft resolution E/CN.4/1987/L.37 was adopted without a vote.

164. Statements in explanation of vote after the vote were made by the representatives of Belgium, the Federal Republic of Germany, Japan and the United States of America.

165. For the text of the resolution, see chapter II, section A, resolution 1987/21.

166. At the 53rd meeting, on 10 March 1987, the observer for Mongolia introduced draft resolution E/CN.4/1987/L.40 sponsored by Afghanistan*, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba*, Czechoslovakia*,

Ethiopia, the German Democratic Republic, Madagascar*, Mongolia*, Nicaragua, Panama*, Poland*, Sri Lanka, the Syrian Arab Republic*, the Ukrainian Soviet Socialist Republic*, the Union of Soviet Socialist Republics and Viet Nam*.

167. The representative of Mongolia orally revised draft resolution E/CN.4/1987/L.40 as follows:

(a) Operative paragraph 5, which read:

"5. Requests the Secretary-General to give due attention to the question of promoting the right to adequate housing in the information he is to provide to the General Assembly on the results of the International Year of Shelter for the Homeless;"

was reworded;

(b) The order of operative paragraph 5, as revised, and operative paragraph 6 was reversed;

(c) Operative paragraph 7 was deleted.

168. At the 54th meeting, on 10 March 1987, the representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.40. At the request of the representative of Bulgaria, the vote was taken by roll-call. Draft resolution E/CN.4/1987/L.40, as orally revised, was adopted by 40 votes to none, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Ireland, Italy, Lesotho, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: None.

Abstaining: Japan, United States of America.

169. Statements in explanation of vote after the vote were made by the representatives of Japan and the United States of America.

170. For the text of the resolution, see chapter II, section A, resolution 1987/22.

171. At the 53rd meeting, on 10 March 1987, the representative of Yugoslavia introduced draft resolution E/CN.4/1987/L.50, sponsored by Angola*, Argentina, Bangladesh, Bolivia*, Brazil, Bulgaria, China, Colombia, the Congo, Costa Rica, Cuba*, Ethiopia, the German Democratic Republic, Guatemala*, India, Iraq, Mexico, Mozambique, Nicaragua, Peru, the Philippines, Rwanda,

Sri Lanka, the United Republic of Tanzania*, Uruguay*, Venezuela and Yugoslavia. Cyprus, Egypt*, the Gambia and the Union of Soviet Socialist Republics subsequently joined the sponsors.

172. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.88) of draft resolution E/CN.4/1987/L.50. 1/

173. At the 54th meeting, on 10 March 1987, a statement relating to the draft resolution was made by the representative of Senegal.

174. An explanation of vote before the vote was made by the representative of the United States of America, who stated that, although draft resolution E/CN.4/1987/L.50 would be adopted without a vote, his delegation would not participate in that action.

175. At the same meeting, draft resolution E/CN.4/1987/L.50 was adopted without a vote.

176. Statements in explanation of vote after the vote were made by the representatives of Belgium, France, Germany, Federal Republic of, Japan and the United Kingdom of Great Britain and Northern Ireland.

177. The representative of Yugoslavia also made a statement.

178. For the text of the resolution, see chapter II, section A, resolution 1987/23.

IX. THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

179. The Commission considered agenda item 9 at its 9th to 14th meetings, held from 6 to 10 February, at its 28th meeting, on 19 February, at its 38th meeting, on 26 February, at its 42nd meeting, on 2 March, and at its 52nd meeting, on 9 March 1987. 2/

180. The Commission had before it the following documents:

Report of the Secretary-General transmitting summaries of the replies received from Governments on legislation against mercenaries, pursuant to Commission resolutions 1986/24 and 1986/26 (E/CN.4/1987/12 and Add.1);

Notes by the Secretariat transmitting requests of the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva for circulation of certain General Assembly documents to the Commission on Human Rights at its forty-third session (E/CN.4/1987/39; E/CN.4/1987/40 and Add.1);

Note verbale dated 13 February 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter dated 13 February 1987 from the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/46).

181. In the general debate on the item, 3/ statements were made by the following members of the Commission: Algeria (9th), Argentina (14th), Australia (10th), Austria (13th), Bangladesh (14th), Belgium (10th), Bulgaria (11th), Byelorussian Soviet Socialist Republic (13th), China (14th), Cyprus (13th), France (13th), German Democratic Republic (13th), Germany, Federal Republic of (12th), Iraq (12th), Japan (11th), Mexico (12th), Nicaragua (13th), Pakistan (13th), Peru (12th), Philippines (11th), Rwanda (13th), Somalia (12th), Sri Lanka (12th), Union of Soviet Socialist Republics (11th), United Kingdom of Great Britain and Northern Ireland (13th), United States of America (10th).

182. The Commission also heard statements by the observers for: Afghanistan (12th), Cuba (12th), Czechoslovakia (12th), Democratic Kampuchea (11th), Morocco (11th), Poland (14th), Portugal (11th), Syrian Arab Republic (9th), Turkey (14th), Ukrainian Soviet Socialist Republic (10th), United Republic of Tanzania (12th), Viet Nam (11th).

183. A statement was made by the observer for the United Nations Council for Namibia (14th).

184. Statements were also made by the observers for the Palestine Liberation Organization (9th and 14th) and the South West Africa People's Organization (11th).

185. The Commissions also heard statements by the following non-governmental organizations: Christian Democratic International (13th), Commission of the Churches on International Affairs of the World Council of Churches (11th),

Four Directions Council (11th), International Federation of Human Rights (13th), International League for the Rights and Liberation of Peoples (11th), Parliamentary Association for Euro-Arab Co-operation (11th), Pax Christi (12th), Pax Romana (13th), Union of Arab Jurists (11th), World Union for Progressive Judaism (10th).

186. Statements in right of reply or equivalent to right of reply were made by the representatives of China (14th), France (12th), India (14th), Iraq (12th), Nicaragua (14th), Pakistan (14th), the Union of Soviet Socialist Republics (14th), and the United States of America (10th and 14th), and by the observers for Afghanistan (14th), Canada (14th), Cuba (10th), Democratic Kampuchea (12th and 14th), Indonesia (14th), Iran (Islamic Republic of) (12th), Portugal (14th), the Syrian Arab Republic (10th and 12th) and Viet Nam (12th and 14th).

187. On 9 February 1987, a draft resolution (E/CN.4/1987/L.2) was submitted by Algeria. The text of the draft resolution was identical with that subsequently submitted as document E/CN.4/1987/L.2/Rev.1 (see paragraph 189 below).

188. At the 28th meeting, on 19 February 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 9.

189. The representative of Mozambique introduced draft resolution E/CN.4/1987/L.2/Rev.1, sponsored by Afghanistan*, Algeria, Angola*, Bolivia*, Cuba*, Cyprus, Ethiopia, Ghana*, India, Iran (Islamic Republic of)*, Madagascar*, Mexico, Mozambique, Nicaragua, Rwanda, Senegal, the Syrian Arab Republic*, the United Republic of Tanzania*, Viet Nam*, Yugoslavia and Zimbabwe*. Argentina, Burundi*, the Congo, Democratic Yemen* and the Libyan Arab Jamahiriya* subsequently joined the sponsors.

190. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1987/L.2/Rev.1. The draft resolution was adopted by 27 votes to none, with 15 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Liberia, Mexico, Mozambique, Nicaragua, Norway, Peru, Philippines, Rwanda, Senegal, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Bangladesh, Belgium, China, Costa Rica, France, Germany, Federal Republic of, Iraq, Ireland, Italy, Japan, Pakistan, Somalia, Sri Lanka, United Kingdom of Great Britain and Northern Ireland, United States of America.

191. A statement in explanation of vote after the vote was made by the representative of Peru.

192. For the text of the resolution, see chapter II, section A, resolution 1987/3.

193. At the same meeting, the representative of India introduced draft resolution E/CN.4/1987/L.5, sponsored by Algeria, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba*, Democratic Yemen*, the German Democratic Republic, India, Iraq, Morocco*, Nicaragua, Pakistan, Qatar*, Saudi Arabia*, Senegal, Somalia, the Syrian Arab Republic*, Tunisia*, the Ukrainian Soviet Socialist Republic*, the Union of Soviet Socialist Republics, Yemen* and Yugoslavia. Afghanistan*, Angola*, the Congo, Czechoslovakia*, the Gambia, the Libyan Arab Jamahiriya* and Viet Nam* subsequently joined the sponsors.

194. At the request of the representative of the United States of America, a separate roll-call vote was taken on the eighth preambular paragraph of the draft resolution. The paragraph was adopted by 22 votes to 12, with 8 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Pakistan, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Colombia, Japan, Liberia, Mexico, Peru, Togo, Venezuela.

195. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1987/L.5 as a whole, which was adopted by 29 votes to 6, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Belgium, Costa Rica, Germany, Federal Republic of, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, France, Ireland, Italy, Japan, Liberia.

196. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, France, Italy and Peru.

197. For the text of the resolution, see chapter II, section A, resolution 1987/4.

198. At the same meeting, the representative of Pakistan introduced draft resolution E/CN.4/1987/L.6, sponsored by Bahrain*, Bangladesh, Colombia, Costa Rica, Egypt*, Honduras*, Jordan*, Malaysia*, Morocco*, Oman*, Pakistan, Paraguay*, the Philippines, Saudi Arabia*, Senegal, Somalia, Thailand*, Tunisia* and Turkey*. The Gambia, Guatemala*, Nepal* and Singapore* subsequently joined the sponsors.

199. A statement relating to the draft resolution was made by the observer for Afghanistan.

200. Statements in explanation of vote before the vote were made by the representatives of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic and the Union of Soviet Socialist Republics.

201. The representative of Bulgaria requested a vote on draft resolution E/CN.4/1987/L.6. At the request of the representative of Pakistan, the vote was taken by roll-call. The draft resolution was adopted by 30 votes to 5, with 6 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Mexico, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Ethiopia, German Democratic Republic, Union of Soviet Socialist Republics.

Abstaining: Algeria, Congo, Cyprus, India, Iraq, Nicaragua.

The representative of Mozambique stated that his delegation was not participating in the vote.

202. A statement in explanation of vote after the vote was made by the representative of Peru.

203. A statement in right of reply was made by the representative of Pakistan.

204. For the text of the resolution, see chapter II, section A, resolution 1987/5.

205. At the same meeting, the representative of the Philippines introduced draft resolution E/CN.4/1987/L.8, sponsored by Bangladesh, Belgium, Canada*, Costa Rica, Germany, Federal Republic of, Honduras*, Italy, Japan, Liberia, Luxembourg*, Malaysia*, the Netherlands*, New Zealand*, Norway, Oman*, Pakistan, the Philippines, Singapore*, Somalia, Thailand*, Togo, Turkey* and the United Kingdom of Great Britain and Northern Ireland. Cameroon*, the Gambia and Nepal* subsequently joined the sponsors.

206. Statements relating to the draft resolution were made by the observers for Democratic Kampuchea and Viet Nam.

207. Explanations of vote before the vote were made by the representatives of Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic and the Union of Soviet Socialist Republics.

208. The representative of the Byelorussian Soviet Socialist Republic requested a vote on draft resolution E/CN.4/1987/L.8. At the request of the representative of the Philippines, the vote was taken by roll-call. The draft resolution was adopted by 29 votes to 8, with 3 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Ethiopia, German Democratic Republic, India, Nicaragua, Union of Soviet Socialist Republics.

Abstaining: Algeria, Iraq, Mexico.

The representatives of Cyprus and Mozambique stated that their delegations were not participating in the vote.

209. Statements in explanation of vote after the vote were made by the representatives of Peru and the United States of America.

210. For the text of the resolution, see chapter II, section A, resolution 1987/6.

211. On 13 February 1987, a draft resolution (E/CN.4/1987/L.9) was submitted by Afghanistan*, Algeria, Bulgaria, Cuba*, Ethiopia, the German Democratic Republic, Mozambique, Nigeria*, the Ukrainian Soviet Socialist Republic* and the United Republic of Tanzania*, reading as follows:

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

"The Commission on Human Rights,

"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, 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,

"Deeply concerned about the increasing menace that the activities of mercenaries represent for all States, particularly those in southern Africa,

"Recognizing that mercenarism is a threat to international peace and security and, like genocide, is a crime against humanity,

"Recognizing also that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the 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 the resolutions of the General Assembly, particularly resolutions 1514 (XV) of 14 December 1960, 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970, 3103 (XXVIII) of 12 December 1973, 34/140 of 14 December 1979, 40/74 of 11 December 1985 and 41/102 of 4 December 1986, in which the 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 which 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,

"Recalling also its own resolution 1986/26 of 10 March 1986, in which it condemned the increased recruitment, financing, training, assembly, transit and use of mercenaries, as well as other forms of support to mercenaries, including so-called humanitarian aid,

"Reaffirming the decision in General Assembly 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, condemning and outlawing mercenarism and its adverse effects on the independence and territorial integrity of African States,

"Deeply concerned at the loss of life, the substantial damage to property and the long-term negative effects on the economy of southern African countries 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,

"Taking note of Economic and Social Council resolution 1986/43 of 23 May 1986 in which the Council urged the Commission on Human Rights to appoint a special rapporteur on the subject with a view to preparing a report for consideration at the forty-fourth session of the Commission,

"1. "Decides to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination;

"2. "Requests the Chairman of the Commission, after consultations with the other members of the Bureau, to appoint an individual of recognized international standing as special rapporteur;

"3. Decides further that the Special Rapporteur in carrying out his mandate shall seek and receive credible and reliable information from Governments, as well as specialized agencies, intergovernmental organizations and non-governmental organizations;

"4. Requests the Secretary-General to appeal to all Governments to co-operate with and assist the Special Rapporteur in the performance of his duties and to furnish all information requested;

"5. Further requests the Secretary-General to provide all necessary assistance to the Special Rapporteur;

"6. Requests the Special Rapporteur to submit to the Commission at its forty-fourth session a report on his activities regarding this question;

"7. Decides to consider the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination at its forty-fourth session as a matter of high priority under the agenda item entitled 'The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation'."

212. At the 28th meeting, on 19 February 1987, consideration of the draft resolution was deferred.

213. On 19 February 1987, the United States of America submitted amendments (E/CN.4/1987/L.23) to draft resolution E/CN.4/1987/L.9, reading as follows:

"1. Amend the second preambular paragraph to read:

'Deeply concerned about the increasing menace that the activities of mercenaries represent for States in southern Africa,'.

"2. Amend the third preambular paragraph to read:

'Recognizing that mercenary activity is a threat to international peace and security,'.

"3. Amend the fourth preambular paragraph to read:

'Recognizing also that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and may seriously impede the exercise of the right to self-determination,'.

"4. Replace the twelfth preambular paragraph by the following paragraph:

'Taking note of the report of the Secretary-General pursuant to its resolutions 1986/24 and 1986/26 of 10 March 1986, as well as to Economic and Social Council resolution 1986/43 of 23 May 1986,'.

"5. Add a thirteenth preambular paragraph to read:

'Bearing in mind the provisions concerning mercenaries contained in Additional Protocol I of 1977 to the Geneva Conventions of 1949,'.

"6. Amend operative paragraph 1 to read:

'Decides to appoint for one year a special rapporteur to examine the question of the use of mercenaries in southern Africa as a means of violating human rights and of impeding the exercise of the right of the peoples of southern Africa to self-determination,'.

"7. Amend operative paragraph 7 to read:

'Decides to consider the use of mercenaries in southern Africa as a means of impeding the exercise of the right of the peoples of southern Africa to self-determination at its forty-fourth session as a matter of high priority under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".'"

214. At the 38th meeting, on 27 February 1987, the representative of the Congo introduced a revised draft resolution (E/CN.4/1987/L.9/Rev.1) which differed from draft resolution E/CN.4/1987/L.9 in that a new preambular paragraph was inserted following the first preambular paragraph and the words "and, like genocide, is a crime against humanity" in the fourth preambular paragraph and the words "including so-called humanitarian aid" in the eighth preambular paragraph were deleted. The revised draft resolution was sponsored by Afghanistan*, Algeria, Angola*, Bulgaria, the Congo, Cuba*, Ethiopia, the German Democratic Republic, Kenya*, the Libyan Arab Jamahiriya*, Mozambique, Nigeria*, the Syrian Arab Republic*, Togo, the Ukrainian Soviet Socialist Republic*, the United Republic of Tanzania* and Viet Nam*, and subsequently also by Nicaragua.

215. At the same meeting, the representative of the United States of America withdrew his amendments (E/CN.4/1987/L.23) to draft resolution E/CN.4/1987/L.9, with the exception of amendment 5, which he proposed should be added as the last preambular paragraph of the revised draft resolution (E/CN.4/1987/L.9/Rev.1). The amendment was accepted by the sponsors of the revised draft resolution.

216. Statements relating to the draft resolution as amended were made by the representatives of Austria, Belgium, Colombia and the Union of Soviet Socialist Republics. Nicaragua withdrew its sponsorship of the draft resolution as amended and requested a separate vote on the last preambular paragraph.

217. Statements in explanation of vote before the vote were made by the representatives of Argentina and the United Kingdom of Great Britain and Northern Ireland.

218. The representative of the Union of Soviet Socialist Republics proposed amending the last preambular paragraph of the revised draft resolution, as amended, by inserting the words ", as appropriate," after the words "Bearing in mind".

219. Statements relating to that proposal were made by the representatives of Algeria, Austria, Belgium, Bulgaria, Colombia, the Gambia, the Union of Soviet Socialist Republics and the United States of America.

220. The representative of Colombia proposed amending the last preambular paragraph of the revised draft resolution as follows:

"Bearing in mind, as a frame of reference, the general provisions and those concerning the definition of mercenaries contained in Additional Protocol I of 1977 to the Geneva Conventions of 12 August 1949,".

221. The representative of the Union of Soviet Socialist Republics proposed adding the words "in armed conflict" after the word "mercenaries" in the amendment proposed by Colombia.

222. At the request of the representative of the Congo, speaking on behalf of the sponsors, consideration of the revised draft resolution was deferred.

223. At the 52nd meeting, on 9 March 1987, the representative of the Congo introduced a second revision (E/CN.4/1987/L.9/Rev.2) of the draft resolution, submitted by the same sponsors as the first revision (see paragraph 214 above). The second revision differed from E/CN.4/1987/L.9/Rev.1 in that a new last preambular paragraph was added.

224. At the same meeting, the representative of Austria introduced amendments (E/CN.4/1987/L.81) submitted by Australia, Austria, Ireland and Norway to revised draft resolution E/CN.4/1987/L.9/Rev.2. The amendments read as follows:

"1. Add a first preambular paragraph to read:

'Considering that the right of self-determination is a fundamental right enshrined in article 1 of the International Covenants on Human Rights,'.

"2. Amend the existing third preambular paragraph to read:

'Deeply concerned about the increasing menace that the activities of mercenaries represent to all States, particularly those in southern Africa, and to peace and security,'.

"3. Delete the fourth preambular paragraph.

"4. After the existing seventh preambular paragraph, add a new preambular paragraph to read:

'Mindful of the importance of the work being undertaken by the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries,'.

"5. Insert a new paragraph as the last preambular paragraph, to read:

'Noting the terms of reference and the mandate of the Ad Hoc Working Group of Experts contained in its relevant resolutions,'.

"6. Replace operative paragraph 1 by the following:

'Requests the Ad Hoc Working Group of Experts on the situation of human rights in southern Africa to study the use of mercenaries in all its aspects;,'.

"7. Delete operative paragraph 2.

"8. Amend the beginning of operative paragraph 3 to read:

'Decides further that the Ad Hoc Working Group of Experts in carrying out this task shall seek and receive ...'.

"9. Amend operative paragraph 4 to read:

'Requests the Secretary-General to appeal to all Governments to co-operate with and assist the Ad Hoc Working Group of Experts in the performance of this task and to furnish all information requested;,'.

"10. In operative paragraph 5, replace the words 'Special Rapporteur' by the words 'Ad Hoc Working Group of Experts'.

"11. Replace operative paragraph 6 by the following:

'Further requests the Ad Hoc Working Group of Experts to submit to the Commission at its forty-fourth session a report on this question, taking into account, in particular, the role of mercenaries in supporting the system of apartheid in South Africa and Namibia as well as in the commission of acts of aggression by South Africa against neighbouring countries;'. "

225. The representative of Nicaragua requested a vote on the amendments (E/CN.4/1987/L.81) to revised draft resolution E/CN.4/1987/L.9/Rev.2. At the request of the representative of the Gambia, the vote was taken by roll-call. The amendments were rejected by 30 votes to 11, with 1 abstention. The voting was as follows:

In favour: Australia, Austria, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Abstaining: Lesotho.

226. At the request of the representative of the Byelorussian Soviet Socialist Republic, a roll-call vote was taken on revised draft resolution E/CN.4/1987/L.9/Rev.2. The draft resolution was adopted by 30 votes to 11, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Lesotho, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Australia, Austria, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Rwanda.

227. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, Colombia, France, Ireland, Italy and the United States of America.

228. For the text of the resolution, see chapter II, section A, resolution 1987/16.

229. At the 28th meeting, on 19 February 1987, the representative of Ethiopia introduced draft resolution E/CN.4/1987/L.12, sponsored by Afghanistan*, Algeria, Angola*, Bulgaria, Cuba*, Czechoslovakia*, Ethiopia, Ghana*, the German Democratic Republic, India, Kenya*, Nigeria*, Rwanda, Senegal, Somalia, the United Republic of Tanzania*, Viet Nam*, Yugoslavia and Zimbabwe*. Cameroon*, the Congo, Democratic Yemen*, Egypt*, the Gambia, the Libyan Arab Jamahiriya*, Mozambique, Nicaragua and the Syrian Arab Republic* subsequently joined the sponsors.

230. The representative of the United States of America requested a roll-call vote on draft resolution E/CN.4/1987/L.12, which was adopted by 31 votes to 5, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Liberia, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Belgium, France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Ireland, Italy, Japan, Norway.

231. Statements in explanation of vote after the vote were made by the representatives of Italy, Norway and Peru.

232. For the text of the resolution, see chapter II, section A, resolution 1987/7.

X. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

233. The Commission considered agenda item 10 and sub-items 10 (a), 10 (b) and 10 (c) at its 32nd to 36th meetings, held from 23rd to 25th February, at its 38th meeting, held on 26 February, and at its 54th meeting, held on 10 March 1987. 2/

234. In relation to item 10, the Commission had before it the following documents:

Note by the Secretariat transmitting a request of the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva for the circulation of certain General Assembly documents to the Commission on Human Rights at its forty-third session (E/CN.4/1987/39);

Note verbale dated 23 February 1987 from the Permanent Mission of Guatemala to the United Nations Office at Geneva addressed to the Chairman of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1987/51);

Written statement submitted by the World Union for Progressive Judaism, a non-governmental organization on the Roster (E/CN.4/1987/NGO/30).

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/31).

Written statement submitted by the International Law Association, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/37).

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/48);

Written statement submitted by Jaycees International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/66).

235. In the general debate on item 10, 3/ statements were made by the following members of the Commission: Afghanistan (36th), Argentina (36th), Australia (33rd), Austria (34th), Belgium (34th), Costa Rica (33rd), Cyprus (33rd), German Democratic Republic (33rd), Norway (34th), Philippines (34th), United Kingdom of Great Britain and Northern Ireland (34th), United States of America (34th).

236. The Commission heard statements by the observers for: Canada (35th), Cuba (35th), Democratic Kampuchea (35th), Guatemala (36th), Portugal (36th), Sweden (33rd), Uruguay (36th), Zaire (33rd).

237. Statements were also made by the following non-governmental organizations: Amnesty International (34th), Anti-Slavery Society for the Protection of Human Rights (34th), Centre Europe-Tiers Monde (34th), Christian Democratic International (34th), Human Rights Advocates, Inc. (34th),

International Indian Treaty Council (35th), International League for the Rights and Liberation of Peoples (34th), International Movement for Fraternal Union among Races and Peoples (34th), World Federation for Mental Health (34th), World Union for Progressive Judaism (34th).

238. Statements in right of reply or equivalent to right of reply were made by the representatives of France (35th), Peru (38th), Sri Lanka (34th and 38th), the Union of Soviet Socialist Republics (38th) and the United States of America (38th), by the observers for Cuba (34th and 38th), Democratic Yemen (34th), El Salvador (38th), Guatemala (34th), Indonesia (38th), Iran (Islamic Republic of) (34th) and Portugal (38th), and by the observer for Switzerland (38th).

239. At the 54th meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 10.

240. The representative of France introduced draft resolution E/CN.4/1987/L.43, sponsored by Argentina, France, Germany, Federal Republic of, Italy, Japan, the Philippines and Togo. Costa Rica, Honduras*, the Union of Soviet Socialist Republics and the United States of America subsequently joined the sponsors.

241. The draft resolution was adopted without a vote.

242. For the text of the resolution, see chapter II, section A, resolution 1987/28.

243. At the same meeting, the representative of Australia introduced draft resolution E/CN.4/1987/L.48, sponsored by Australia, Belgium, Bulgaria, Canada*, the Gambia, India, the Netherlands*, Portugal*, Spain*, Sri Lanka and the United Kingdom of Great Britain and Northern Ireland. Costa Rica, Japan and Peru subsequently joined the sponsors.

244. The draft resolution was adopted without a vote.

245. For the text of the resolution, see chapter II, section A, resolution 1987/32.

246. At the same meeting, the representative of Austria introduced draft resolution E/CN.4/1987/L.72, sponsored by Australia, Austria, Canada*, Costa Rica, France, the Gambia, Germany, Federal Republic of, Norway, the Philippines and the United Kingdom of Great Britain and Northern Ireland. Argentina, Colombia, Italy, the Netherlands* and New Zealand* subsequently joined the sponsors.

247. The draft resolution was adopted without a vote.

248. For the text of the resolution, see chapter II, section A, resolution 1987/33.

A. Torture and other cruel, inhuman or degrading treatment or punishment

249. In connection with agenda item 10 (a), the Commission had before it the following documents:

Report of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (A/41/706);

Report by the Special Rapporteur, Mr. P. Kooijmans, appointed pursuant to Commission resolution 1986/50 (E/CN.4/1987/13);

Written statement submitted by the World Federation for Mental Health, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/36).

250. At the 32nd meeting, on 23 February 1987, Mr. P. Kooijmans, Special Rapporteur to examine questions relevant to torture, introduced his report to the Commission.

251. In the general debate on item 10 (a), 3/ statements were made by the following members of the Commission: Argentina (36th), Australia (33rd), Austria (34th), Belgium (34th), Bulgaria (34th), Byelorussian Soviet Socialist Republic (36th), China (34th), Colombia (33rd), Costa Rica (33rd), Cyprus (33rd), France (33rd), German Democratic Republic (33rd), India (36th), Iraq (36th), Ireland (34th), Italy (34th), Japan (34th), Mexico (34th), Norway (34th), Philippines (34th), Senegal (36th), Union of Soviet Socialist Republics (33rd), United Kingdom of Great Britain and Northern Ireland (34th), United States of America (34th).

252. The Commission also heard statements by the observers for: Afghanistan (36th), Canada (35th), Cuba (35th), Democratic Kampuchea (35th), Netherlands (34th), Portugal (36th), Sweden (33rd), Syrian Arab Republic (36th), Ukrainian Soviet Socialist Republic (36th).

253. A statement was also made by the representative of the Pan Africanist Congress of Azania (34th).

254. The Commission heard statements by the following non-governmental organizations: Amnesty International (34th), Centre Europe-Tiers Monde (34th), Christian Democratic International (34th), Human Rights Advocates, Inc., (34th), International Federation of Human Rights (35th), International League for the Rights and Liberation of Peoples (34th), International Movement for Fraternal Union among Races and Peoples (34th), World Federation for Mental Health (34th), World Peace Council (35th), World Student Christian Federation (35th), World University Service (35th).

255. Statements in right of reply or equivalent to right of reply were made by the representatives of Ethiopia (38th), France (35th) and Sri Lanka (34th), by the observers for Chile (38th), Cuba (34th), Democratic Yemen (34th), Guatemala (34th), Indonesia (38th), Iran (Islamic Republic of) (34th) and Portugal (38th), and by the observers for the Republic of Korea (38th) and Switzerland (38th).

256. At the 54th meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 10 (a).

257. The representative of Belgium introduced draft resolution E/CN.4/1987/L.44, sponsored by Argentina, Australia, Belgium, Brazil, Costa Rica, Finland*, Greece*, Italy, the Netherlands*, Norway, Peru,

the Philippines, Senegal and the United Kingdom of Great Britain and Northern Ireland. Austria, France, Ireland, Nicaragua, Portugal* and Spain* subsequently joined the sponsors.

258. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.47) of draft resolution E/CN.4/1987/L.44. 1/

259. The draft resolution was adopted without a vote.

260. For the text of the resolution, see chapter II, section A, resolution 1987/29.

261. At the same meeting, the representative of Norway introduced draft resolution E/CN.4/1987/L.46, sponsored by Argentina, Austria, Australia, Belgium, Brazil, Canada*, Costa Rica, Denmark*, Finland*, France, Germany, Federal Republic of, Japan, Kenya*, the Netherlands*, Nicaragua, Norway, Spain*, Sweden* and the United States of America. Senegal subsequently joined the sponsors.

262. The draft resolution was adopted without a vote.

263. For the text of the resolution, see chapter II, section A, resolution 1987/31.

B. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

264. In relation to agenda item 10 (b), the Commission had before it the report of the Secretary-General (E/CN.4/1987/14).

265. In the general debate on item 10 (b), 3/ statements were made by the following members of the Commission: Argentina (36th), Australia (33rd), Austria (34th), Bulgaria (34th), Byelorussian Soviet Socialist Republic (36th), China (34th), Costa Rica (33rd), Cyprus (33rd), France (33rd), German Democratic Republic (33rd), Italy (34th), Mexico (34th), Norway (34th), Peru (36th), Philippines (34th), Senegal (36th), United Kingdom of Great Britain and Northern Ireland (34th), Union of Soviet Socialist Republics (33rd), United States of America (34th).

266. The Commission also heard statements by the observers for Afghanistan (36th), Canada (35th), the Netherlands (34th), the Syrian Arab Republic (36th) and the Ukrainian Soviet Socialist Republic (36th).

267. Statements were also made by Amnesty International (34th), and Pax Christi (35th).

268. Statements equivalent to right of reply were made by the observers for Indonesia (38th) and Portugal (38th).

269. At the 54th meeting, on 10 March 1987, the representative of Norway introduced draft resolution E/CN.4/1987/L.45, sponsored by Argentina, Australia, Austria, Belgium, Brazil, Canada*, Costa Rica, Denmark*, Finland*, France, the Gambia, Germany, Federal Republic of, Greece*, Italy, Mexico,

the Netherlands*, Nicaragua, Norway, Portugal*, Senegal, Spain*, Sweden*, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and Venezuela. The Byelorussian Soviet Socialist Republic subsequently joined the sponsors.

270. At the same meeting, the draft resolution was adopted without a vote.

271. For the text of the resolution, see chapter II, section A, resolution 1987/30.

C. Question of enforced or involuntary disappearances

272. In relation to agenda item 10 (c), the Commission had before it the following documents:

Report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1987/15 and Corr.1 and Add.1);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/42).

273. At the 42nd meeting, held on 23 February 1987, Mr. I. Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, introduced the Group's report.

274. In the general debate on item 10 (c), 3/ statements were made by the following members of the Commission: Afghanistan (36th), Argentina (36th), Australia (33rd), Austria (34th), Belgium (34th), Byelorussian Soviet Socialist Republic (36th), Colombia (33rd), Costa Rica (33rd), Cyprus (33rd), France (34th), German Democratic Republic (33rd), India (36th), Iraq (36th), Ireland (34th), Japan (34th), Mexico (34th), Nicaragua (33rd), Norway (34th), Peru (36th), Philippines (34th), Senegal (36th), Sri Lanka (33rd), United Kingdom of Great Britain and Northern Ireland (34th), United States of America (34th).

275. The Commission heard statements by the observers for: Canada (35th), Cuba (35th), Guatemala (36th), Netherlands (34th), Portugal (36th), Sweden (33rd), Syrian Arab Republic (35th), Ukrainian Soviet Socialist Republic (36th), Uruguay (36th).

276. Statements were also made by the following non-governmental organizations: Amnesty International (34th), Centre Europe-Tiers Monde (34th), International Federation of Human Rights (35th), International Movement for Fraternal Union among Races and Peoples (34th), Latin American Federation of Associations of Relatives of Disappeared Detainees (35th), Pax Christi (35th), Pax Romana (35th), Women's International League for Peace and Freedom (35th), World Peace Council (35th), World Student Christian Federation (35th), World University Service (35th).

277. Statements in right of reply or equivalent to right of reply were made by the representative of Sri Lanka (34th) and by the observers for Guatemala (34th), Indonesia (38th), Iran (Islamic Republic of) (34th) and Portugal (38th).

278. At the 54th meeting, on 10 March 1987, the representative of France introduced draft resolution E/CN.4/1987/L.42, sponsored by Argentina, Austria, Belgium, Canada*, Costa Rica, France, the Gambia, Germany, Federal Republic of, Greece*, Ireland, Italy, Japan, the Netherlands*, Norway, Peru, Portugal*, Senegal, Spain*, and the United Kingdom of Great Britain and Northern Ireland. The Philippines subsequently joined the sponsors.

279. Statements relating to the draft resolution were made by the representatives of Colombia and Mexico.

280. At the same meeting, the draft resolution was adopted without a vote.

281. For the text of the resolution, see chapter II, section A, resolution 1987/27.

XI. FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE
PROGRAMME AND METHODS OF WORK OF THE COMMISSION;
ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE
UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE
ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

282. The Commission considered agenda item 11 at its 54th and 56th meetings, held on 10 and 11 March 1987. 2/

283. The Commission had before it the following documents:

Report of the Secretary-General on the development of public information activities in the field of human rights (E/CN.4/1987/16 and Add.1-3);

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian-Pacific region (E/CN.4/1987/18);

Report of the Secretary-General on national institutions for the promotion and protection of human rights (E/CN.4/1987/37);

Note by the Secretary-General on recommendation 8 of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (E/CN.4/1987/44);

Note by the Secretary-General on the draft medium-term plan for 1990-1995 (E/CN.4/1987/45).

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/15);

Written statement submitted by the International League for Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/26);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/49);

Written statement submitted by the World Association for the School as an Instrument of Peace, a non-governmental organization on the Roster (E/CN.4/1987/NGO/53);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/54);

Written statement submitted by the International Council of Jewish Women, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/69).

284. In the general debate on this item, which took place at the 54th meeting, statements were made by the following members of the Commission: Australia, Belgium, Byelorussian Soviet Socialist Republic, France, German Democratic Republic, Ireland, Philippines, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

285. The Commission also heard statements by the observers for Canada and the Netherlands.

286. On 5 March 1987, a draft resolution (E/CN.4/1987/L.61) was submitted by Bulgaria and the German Democratic Republic.

287. At the 54th meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 11.

288. The representative of the German Democratic Republic introduced a revised draft resolution (E/CN.4/1987/L.61/Rev.1), submitted by the same sponsors as draft resolution E/CN.4/1987/L.61. The Byelorussian Soviet Socialist Republic subsequently joined the sponsors.

289. The revised draft resolution differed from draft resolution E/CN.4/1987/L.61 in the following way:

(a) The last two preambular paragraphs, which read:

"Convinced that the dissemination of information on human rights should be guided, inter alia, by the goal of co-operation among all peoples in peace, equality, mutual confidence and understanding,"

"Appealing to Member States, to the information and communication media as well as non-governmental organizations to disseminate credible and reliable information and not to resort to behaviour contrary to the provisions of the Charter of the United Nations,"

were replaced by a new last preambular paragraph;

(b) Operative paragraph 1, which read:

"1. Emphasizes that the dissemination of information in the field of human rights should contribute to the understanding of problems existing in different societies and improve awareness of differing economic, social and cultural realities;"

was reworded;

(c) Operative paragraph 2, which read:

"2. Expresses its conviction that communication media and non-governmental organizations can play an important role in enhancing the promotion and protection of human rights;"

was reworded;

(d) Operative paragraph 3, which read:

"3. Stresses the importance of a wider dissemination of credible and reliable information on human rights throughout the world, which should help to promote and protect human rights and contribute to better mutual understanding, confidence and respect;"

was deleted and the following paragraphs were renumbered accordingly.

290. At the request of the representatives of Brazil, the Congo and France, consideration of the revised draft resolution was deferred.

291. At the 56th meeting, on 11 March 1987, the Commission proceeded to a vote on draft resolution E/CN.4/1987/L.61/Rev.1. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 41 votes to none, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Ireland, Italy, Japan, Lesotho, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: None.

Abstaining: United States of America.

292. For the text of the resolution, see chapter II, section A, resolution 1987/59.

293. At the 54th meeting, on 10 March 1987, the representative of Australia introduced draft resolution E/CN.4/1987/L.67, sponsored by Argentina, Australia, Bolivia*, Canada*, Cyprus, Finland*, the Gambia, India, Ireland, Jordan*, the Netherlands*, Peru, the Philippines, Senegal, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia.

294. The representative of Australia orally revised draft resolution E/CN.4/1987/L.67 as follows:

(a) The last preambular paragraph, which read:

"Noting that the public information activities of the United Nations should be accorded adequate resources and should be as cost-effective as possible, especially given the current financial crisis facing the Organization,"

was reworded;

(b) In operative paragraph 8, the word "other" was inserted between the words "regional commissions and" and the words "United Nations bodies".

295. The observer for the United Nations Educational, Scientific and Cultural Organization (UNESCO) made a statement relating to the draft resolution.

296. The draft resolution, as orally revised, was adopted without a vote.

297. A statement in explanation of vote after the vote was made by the representative of the United States of America.

298. For the text of the resolution, see chapter II, section A, resolution 1987/39.

299. At the same meeting, the representative of Australia introduced draft resolution E/CN.4/1987/L.68, sponsored by Australia, Canada*, Finland*, India, Iraq, the Philippines and Sri Lanka. Senegal subsequently joined the sponsors.

300. The observer for UNESCO made a statement relating to the draft resolution.

301. The draft resolution was adopted without a vote.

302. For the text of the resolution, see chapter II, section A, resolution 1987/40.

303. The representative of Sri Lanka introduced draft resolution E/CN.4/1987/L.71, sponsored by Australia, China, the Philippines and Sri Lanka.

304. The observer for UNESCO made a statement relating to the draft resolution.

305. The draft resolution was adopted without a vote.

306. For the text of the resolution, see chapter II, section A, resolution 1987/41.

307. The representative of the Ukrainian Soviet Socialist Republic introduced draft resolution E/CN.4/1987/L.75, sponsored by Bulgaria, Czechoslovakia*, the German Democratic Republic, Nicaragua, the Ukrainian Soviet Socialist Republic* and Viet Nam*. Afghanistan* subsequently joined the sponsors.

308. The representative of the United States of America requested a roll-call vote on draft resolution E/CN.4/1987/L.75, which was adopted by 40 votes to none, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Ireland, Italy, Japan, Liberia, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: None.

Abstaining: Costa Rica, United States of America.

309. Statements in explanation of vote after the vote were made by the representatives of France, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

310. For the text of the resolution, see chapter II, section A, resolution 1987/42.

311. At the 56th meeting, on 11 March 1987, the representative of Australia introduced draft decision E/CN.4/1987/L.94, sponsored by Australia and the United Kingdom of Great Britain and Northern Ireland. Brazil and India subsequently joined the sponsors.

312. The representative of Australia orally revised draft decision E/CN.4/1987/L.94 as follows:

(a) The words ", which it will consider at its forty-fourth session," were deleted between "1990-1995" and "and to submit";

(b) Subparagraph (a), which read:

"(a) Due note should be taken of the statement of the Assistant Secretary-General for Human Rights at its opening meeting and of the summary records of its debate under agenda item 11 and any other pertinent remarks of delegations during the current session in the preparation of the draft medium-term plan for 1990-1995;"

was reworded.

313. A statement relating to the draft decision was made by the representative of Venezuela.

314. The draft decision was adopted without a vote.

315. For the text of the decision, see chapter II, section B, decision 1987/108.

XII. 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

316. The Commission considered agenda item 12 and subitem 12 (a) concurrently with item 5 at its 43rd to 53rd meetings, held from 3 to 10 March, at its 55th and 56th meetings, held on 11 March, and at its 58th meeting, held on 12 March 1987. 2/ Subitem 12 (b) was considered by the Commission in closed session, at its 37th, 39th, 41st and 42nd meetings, held on 26 and 27 February and 2 March 1987.

317. In connection with the consideration of item 12, the Commission had before it the following documents:

Note by the Secretary-General transmitting to the General Assembly the report on the situation of human rights in El Salvador prepared by the Special Representative of the Commission on Human Rights (A/41/710);

Note by the Secretary-General transmitting to the General Assembly the interim report on the situation of human rights in Afghanistan prepared by the Special Rapporteur of the Commission on Human Rights (A/41/778);

Note by the Secretary-General transmitting to the General Assembly the interim report on the situation of human rights in the Islamic Republic of Iran prepared by the Special Representative of the Commission on Human Rights (A/41/787);

Letter dated 14 July 1986 from the Permanent Representative of Nicaragua to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1987/2);

Report of the Secretary-General submitted pursuant to Commission decision 1986/103 (E/CN.4/1987/19);

Report on summary or arbitrary executions submitted by the Special Rapporteur, Mr. S. Amos Wako, appointed pursuant to Economic and Social Council resolution 1986/36 (E/CN.4/1987/20);

Final report on the situation of human rights in El Salvador submitted to the Commission by Mr. José Antonio Pastor Ridruejo in fulfilment of the mandate conferred under Commission resolution 1986/39 (E/CN.4/1987/21);

Report on the situation of human rights in Afghanistan prepared by the Special Rapporteur, Mr. Felix Ermacora, in accordance with Commission resolution 1986/40 (E/CN.4/1987/22);

Report on the human rights situation in the Islamic Republic of Iran by the Special Representative of the Commission, Mr. Reynaldo Galindo Pohl, appointed pursuant to resolution 1986/41 (E/CN.4/1987/23);

Report of the Special Representative, Viscount Colville of Culross, on Guatemala, prepared in accordance with paragraph 8 of Commission resolution 1986/62 (E/CN.4/1987/24);

Report of the working group on 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 (E/CN.4/1987/38);

Note verbale dated 13 February 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter dated 13 February 1987 from the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/46);

Notes verbales dated 18 February 1987 from the Permanent Representative of Afghanistan to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/48 and E/CN.4/1987/49);

Letter dated 23 February 1987 from the Permanent Representative of El Salvador to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/52);

Letter dated 3 March 1987 from the Permanent Representative of Lebanon to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1987/53);

Note verbale dated 16 February 1987 from the Permanent Mission of Honduras to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1987/54);

Note verbale dated 6 March 1987 from the Permanent Representative of Afghanistan to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter dated 4 March 1987 from the Minister for Foreign Affairs of Afghanistan addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/56);

Note verbale dated 11 March 1987 from the Permanent Mission of Afghanistan to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter from former leaders of armed opposition groups addressed to the Commission (E/CN.4/1987/57);

Letter dated 11 March 1987 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter dated 11 March 1987 from the Representative of the Turkish Cypriot Community to the United Nations addressed to the Chairman of the Commission on Human Rights (E/CN.4/1987/58);

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/1);

Written statements submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/6 and E/CN.4/1987/NGO/7);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1987/NGO/17);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/23);

Written statements submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/29 and E/CN.4/1987/NGO/38);

Written statements submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/43, E/CN.4/1987/NGO/44 and E/CN.4/1987/NGO/65);

Written statements submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/51, E/CN.4/1987/NGO/61 and E/CN.4/1987/NGO/63);

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/60);

Written statement submitted by the International Bar Association, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/62);

Written statement submitted by the International Youth and Student Movement for the United Nations, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/64);

Written statement submitted by the Anti-Slavery Society for the Protection of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/67).

Written statement submitted by the International League for Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/72).

318. In the general debate on item 12 as a whole, 3/ statements were made by the following members of the Commission: Australia (44th and 47th), Austria (52nd), Belgium (50th), Brazil (50th), Bulgaria (43rd and 48th), Byelorussian Soviet Socialist Republic (47th and 50th), Colombia (43rd and 45th), France (50th and 51st), German Democratic Republic (47th and 51st), Germany, Federal Republic of (46th), India (43rd), Iraq (47th and 49th), Ireland (48th and 50th), Italy (50th), Japan (48th and 49th), Mexico (52nd), Mozambique (49th), Nicaragua (44th), Norway (46th and 47th), Pakistan (51st),

Peru (48th), Rwanda (43rd), Somalia (43rd), Sri Lanka (44th), Union of Soviet Socialist Republics (46th, 48th, 49th and 50th), United Kingdom of Great Britain and Northern Ireland (46th), United States of America (46th, 48th and 52nd), Venezuela (43rd and 44th).

319. The Commission also heard statements by the observers for: Afghanistan (49th), Angola (51st), Canada (52nd), Cuba (48th), Czechoslovakia (52nd), Democratic Kampuchea (52nd), Egypt (51st), El Salvador (49th), Finland (46th), Guatemala (48th), Honduras (52nd), Iran (Islamic Republic of) (48th), Israel (46th), Lebanon (44th), Mongolia (52nd), Netherlands (46th), Poland (52nd), Saudi Arabia (52nd), Spain (52nd), Suriname (49th), Sweden (48th), Syrian Arab Republic (48th), Turkey (48th), Ukrainian Soviet Socialist Republic (49th), Viet Nam (52nd).

320. A statement was also made by the observer for the Palestine Liberation Organization (44th).

321. The Commission also heard statements by the following non-governmental organizations: Amnesty International (46th), Anti-Slavery Society for the Protection of Human Rights (46th), Baha'i International Community (45th), Centre Europe-Tiers Monde (44th), Christian Democratic International (44th and 45th), Commission of the Churches on International Affairs of the World Council of Churches (46th), Four Directions Council (44th), Human Rights Advocates, Inc. (45th), Indigenous World Association (47th), Inter-American Press Association (45th), International Association for the Defence of Religious Liberty (46th), International Association of Democratic Lawyers (45th), International Commission of Jurists (45th), International Council of Jewish Women (44th), International Federation of Free Journalists (50th), International Federation of Human Rights (44th), International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities (46th), International Federation of Rural Adult Catholic Movements (50th), International Indian Treaty Council (49th), International League for Human Rights (52nd), International League for the Rights and Liberation of Peoples (48th), International Movement for Fraternal Union among Races and Peoples (48th), International Organization of Journalists (46th), International Young Catholic Students (46th), International Youth and Student Movement for the United Nations (52nd), Inter-Parliamentary Union (44th), Latin American Federation of Associations of Relatives of Disappeared Detainees (48th), Minority Rights Group (44th), Pax Christi (51st), Pax Romana (46th), Women's International League for Peace and Freedom (46th), Women's International Zionist Organization (46th), World Federation of Democratic Youth (48th), World Federation of Trade Unions (44th), World Jewish Congress (44th), World Muslim Congress (44th), World Student Christian Federation (48th), World Union for Progressive Judaism (48th), World University Service (46th).

322. Statements in right of reply or equivalent to right of reply were made by the representatives of Bangladesh (48th), Bulgaria (49th), Colombia (49th), France (51st), India (45th), Iraq (47th), Nicaragua (47th, 50th and 53rd), Pakistan (53rd), Sri Lanka (44th, 45th, 46th, 47th, 50th and 51st), the Union of Soviet Socialist Republics (46th and 50th), the United Kingdom of Great Britain and Northern Ireland (50th and 51st) and the United States of America (46th, 48th, 49th and 53rd), by the observers for Afghanistan (45th, 50th and 53rd), Burundi (48th), Cuba (46th, 48th and 49th),

Democratic Kampuchea (52nd), Democratic Yemen (51st), Guatemala (45th and 53rd), Indonesia (53rd), Iran (Islamic Republic of) (47th, 51st and 53rd), Lebanon (45th), the Netherlands (50th), Poland (52nd), Romania (53rd), Spain (53rd), the Syrian Arab Republic (46th), Turkey (49th) and Viet Nam (53rd), and by the observer for the Republic of Korea (53rd).

Situation of human rights and fundamental freedoms in Cuba

323. On 24 February 1987, the United States of America submitted a draft resolution (E/CN.4/1987/L.29), reading as follows:

"Situation of human rights and fundamental freedoms in Cuba

"The Commission on Human Rights,

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

"Noting the obligation of all States Members of the United Nations to respect and protect human rights and fundamental freedoms in accordance with the Universal Declaration of Human Rights,

"Noting also its resolution 1986/56 of 13 March 1986, in which it reminded States of their obligation, under the Charter of the United Nations, to promote universal respect for, and observance of, human rights and fundamental freedoms,

"Taking into account the relevant General Assembly resolutions concerning the further promotion of human rights, including resolutions 39/144 of 14 December 1984 and 40/123 of 13 December 1985 on national institutions for the promotion and protection of human rights,

"Recalling its resolution 1986/32 of 11 March 1986, in which it reaffirmed the essential role of an independent and impartial judiciary and independent lawyers in promoting and protecting human rights and fundamental freedoms,

"Further recalling its resolution 1986/30 of 11 March 1986 on the right of everyone to leave any country, including his own, and to return to his country,

"Taking note of the reports of the Inter-American Commission on Human Rights of the Organization of American States, which has found evidence of substantial human rights abuses in Cuba,

"Concerned by the numerous and credible reports that large numbers of political prisoners remain in Cuba and are held under harsh conditions,

"Aware of the alleged denial to human rights activists of access to effective and independent legal defence counsel,

"Noting with concern that very large numbers of Cubans have left their country and that many cite the systematic violation of human rights and fundamental freedoms as a major reason for leaving Cuba,

"1. Expresses deep concern over the specific and detailed allegations of serious human rights violations in Cuba, in particular those related to the right to freedom of expression, the right to freedom of association, the right to liberty and security of person and freedom from arbitrary arrest or detention, the right to a fair trial, the right to freedom of thought, conscience and religion, and the right of individuals to leave their country and to return to it;

"2. Urges the Government of Cuba to ensure that all individuals within its territory and subject to its jurisdiction are guaranteed effective enjoyment of basic human rights and fundamental freedoms;

"3. Appeals to the Government of Cuba to allow any Cuban who might wish to leave or to return to Cuba to do so without hindrance, especially in those cases involving the reunification of families;

"4. Decides to consider, at its forty-fourth session, the situation of human rights and fundamental freedoms in Cuba under the agenda 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'."

324. At the 55th meeting, on 11 March 1987, the representative of the United States of America introduced a revised draft resolution (E/CN.4/1987/L.29/Rev.1), which differed from the original draft resolution in the following way:

(a) At the end of operative paragraph 1, the word "and" was inserted before the words "the right to freedom of thought" and the words "and the right of individuals to leave their country and to return to it;" were deleted;

(b) In operative paragraph 3, the words "release all those detained for their political views and activities and to" were added after the words "Appeals to the Government of Cuba to".

325. At the same meeting, the representative of India moved, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1987/L.29/Rev.1.

326. Statements on the motion were made by the representatives of Algeria, Australia, Brazil, Bulgaria, the Byelorussian Soviet Socialist Republic, Costa Rica, the German Democratic Republic, Germany, Federal Republic of, Nicaragua, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

327. At the same meeting, the representative of Bulgaria moved, under rule 50 of the rules of procedure of the functional commissions of the Economic and Social Council, the closure of the debate on the motion by India.

328. The representatives of Australia and the Federal Republic of Germany opposed the motion by the representative of Bulgaria.

329. The representative of Bulgaria requested a roll-call vote on the motion, which was rejected by 18 votes to 13, with 12 abstentions. The voting was as follows:

In favour: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, German Democratic Republic, India, Mozambique, Nicaragua, Union of Soviet Socialist Republics, Yugoslavia.

Against: Australia, Austria, Belgium, Brazil, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, Peru, Philippines, Somalia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Abstaining: Argentina, Bangladesh, Colombia, Gambia, Iraq, Lesotho, Mexico, Pakistan, Rwanda, Senegal, Sri Lanka, Togo.

330. A statement in explanation of vote after the vote was made by the representative of Brazil.

331. At the 56th meeting, on 11 March 1987, statements relating to the motion by the representative of India were made by the representatives of Australia, Bulgaria, the Congo, Costa Rica, the Federal Republic of Germany, India, Iraq and the United Kingdom of Great Britain and Northern Ireland.

332. Statements in explanation of vote before the vote on the motion by India were made by the representatives of the German Democratic Republic and the United States of America.

333. At the same meeting, the representative of the United States of America requested a roll-call vote on the motion by the representative of India, which was adopted by 19 votes to 18, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, German Democratic Republic, India, Mexico, Mozambique, Nicaragua, Peru, Sri Lanka, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Australia, Austria, Belgium, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Lesotho, Liberia, Norway, Philippines, Somalia, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bangladesh, Brazil, Iraq, Pakistan, Rwanda, Senegal.

334. Statements in explanation of vote after the vote were made by the representatives of Mozambique and the Union of Soviet Socialist Republics.

335. For the text of the decision, see chapter II, section B, decision 1987/105.

Policy of human rights violations of the Government of the United States of America

336. At the 56th meeting, on 11 March 1987, a draft resolution (E/CN.4/1987/L.31) sponsored by Cuba* was introduced by the observer for that country. Madagascar*, Nicaragua and the Syrian Arab Republic* subsequently joined in sponsoring the draft resolution, which read as follows:

"Policy of human rights violations of the Government of the United States of America

"The Commission on Human Rights,

"Bearing in mind the principles of the Charter of the United Nations and the Universal Declaration of Human Rights which recognize the intrinsic dignity and equal rights of men and women and of nations large and small,

"Conscious of its responsibility to promote and encourage respect for the human rights and fundamental freedoms of all, and determined to remain vigilant with regard to violations of such rights wherever they occur,

"Recalling the provisions of existing international instruments, and particularly the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Prevention and Punishment of the Crime of Genocide,

"Further recalling the provisions and concepts on various possible ways and means of improving the effective enjoyment of human rights and fundamental freedoms contained in General Assembly resolution 32/130 of 16 December 1977, as well as General Assembly resolutions 41/38 of 20 November 1986, 41/131, 41/94 and 41/103 of 4 December 1986 and 41/164 of 5 December 1986, and Commission on Human Rights resolutions 1986/6 and 1986/7 of 28 February 1986 and 1986/16 and 1986/26 of 10 March 1986,

"Deeply concerned at the policy of aggression, threats and economic coercion and sanctions being pursued by the Government of the United States of America against numerous third world countries which are fighting for their integrity and sovereignty, and also at openly practised State terrorism and admitted covert actions against the lives of statesmen, which violate the right to well-being and life and cause the death of men, women and children who are citizens of the countries struck by such aggression,

"Conscious of the obligation of States, in pursuance of the Charter of the United Nations, to promote social progress and better standards of life in larger freedom and to encourage universal respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"Expressing its deep concern at the ever-worsening situation of human rights in the United States, and particularly at the serious living conditions of the homeless, the black and Puerto Rican minorities and the Indian nations which are subjected to the racist and repressive policy practised by the United States authorities,

"Deeply shocked by the practice of coercion, fraud and trickery pursued by the Government of the United States in order to carry out its policy of repression and plunder against ethnic minorities, and by the persistent reports of the lack of due protection and legal recourse available to those minorities, as well as by the recent expulsion of Indian nations from their lands in Arizona,

"Profoundly concerned by the increase in racial strife which has recently taken place in the United States, as a consequence of the systematization of racism and racial discrimination, resulting in cases of murder and ill-treatment of the defenceless black population,

"Indignant at the impunity with which the racist and fascist Ku-Klux-Klan and White American Resistance organizations operate, murdering, torturing and making attempts on the lives of blacks and Indians struggling for their right to self-determination, with the consent and involvement of the police forces and authorities of the United States,

"Concerned at the attempts to undermine the features and values of the culture of Puerto Rico, through the indiscriminate use of its natural resources by industrial complexes established in that country, by the growing economic dependence of the island and the use of its waters, land and air as dumping grounds for toxic and radioactive wastes, and by the continued violations of the human rights of the Puerto Rican minority living in the United States,

"1. Requests the Government of the United States of America to halt its policy of pressure, blackmail, threats, acts of State terrorism and "covert actions" against sovereign States, their leaders and peoples, which prevent full enjoyment of human rights and fundamental freedoms by the citizens of those countries;

"2. Requests the Government of the United States to respect, and promote a proper approach to, human rights and fundamental freedoms for all persons, and particularly for the victims of the principal human rights violations, such as the Indian nations and the black community;

"3. Requests the United States authorities to halt racist and discriminatory practices against the ethnic minorities in that country;

"4. Urges the Government of the United States to implement appropriate economic and social programmes to put an end to the degrading economic and social situation of the homeless;

"5. Demands that the Government of the United States should, in conformity with the relevant international instruments, guarantee the exercise and full enjoyment of civil and political rights and economic, social and cultural rights by the ethnic minorities in the United States;

"6. Decides to consider the 'situation of human rights and fundamental freedoms in the United States' as a high-priority topic at its forty-fourth session on the basis of a report to be prepared to clarify the situation of the ethnic minorities in the United States."

337. At the same meeting, the representative of India moved, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1987/L.31.

338. The representatives of Algeria and the Congo made statements relating to the motion.

339. Statements in explanation of vote before the vote were made by the representatives of Costa Rica, Italy and the United States of America.

340. The representative of the United States of America requested a roll-call vote on the motion, which was adopted by 17 votes to 15, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Mexico, Mozambique, Peru, Togo, Union of Soviet Socialist Republics, Yugoslavia.

Against: Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Nicaragua, Norway, Philippines, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bangladesh, Brazil, Colombia, Iraq, Lesotho, Pakistan, Rwanda, Senegal, Somalia, Sri Lanka, Venezuela.

341. For the text of the decision, see chapter II, section B, decision 1987/106.

Situation in the Palestinian refugee camps in Lebanon

342. In connection with this matter, the Commission had before it documents E/CN.4/1987/46 and E/CN.4/1987/53.

343. On 2 March 1987, a draft resolution (E/CN.4/1987/L.41) was submitted by Democratic Yemen*, Iraq, the Libyan Arab Jamahiriya*, Tunisia* and Yemen*, reading as follows:

"Situation in the Palestinian camps in Lebanon.

"The Commission on Human Rights,

"Guided by the principles of the Universal Declaration of Human Rights and the principles of international law,

"Guided by the provisions of the Charter of the United Nations,

"Recalling Security Council resolution 564 (1985) of 31 May 1985 and the Council's statement of 13 February 1987,

"Noting the statement read by the Chairman of the Commission on 6 February 1987,

"Deeply alarmed at the grave situation in the Palestinian camps in Lebanon and the risks to civilian life in the camps,

"Taking note of the statements on this situation made by the representative of the Palestine Liberation Organization and by other delegations,

"Emphasizing its respect for Lebanon's full sovereignty over its territory,

"1. Expresses its deep dismay at the grave situation in the Palestinian camps in Lebanon, which is a result of violations of human rights, deliberate mass murder of the inhabitants by bombardment of the camps and starvation through military siege of the camps;

"2. Strongly condemns the repeated attacks on these camps including the military siege which has resulted in the death by starvation of many civilians;

"3. Deems these attacks to be deliberate massacres of the Palestinian people;

"4. Requests the Secretary-General to ensure international protection of the Palestinian camps in Lebanon, with the approval of the Government of Lebanon, the host country;

"5. Requests the Secretary-General to transmit the present resolution to the Governments concerned and to report to the Commission at its forty-fourth session on its implementation."

344. At the 56th meeting, on 11 March 1987, the representative of Iraq introduced a revised draft resolution (E/CN.4/1987/L.41/Rev.1), sponsored by Democratic Yemen*, Iraq, the Libyan Arab Jamahiriya*, Madagascar* and Tunisia*. Egypt* subsequently joined the sponsors.

345. A statement relating to the draft resolution was made by the observer for Lebanon.

346. The representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.41/Rev.1. At the request of the representative of the Gambia, the vote was taken by roll-call. The draft resolution was adopted by 29 votes to 2, with 12 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, China, Congo, Cyprus, Ethiopia, France, Gambia, India, Iraq, Ireland, Japan, Lesotho, Liberia, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Yugoslavia.

Against: Costa Rica, Philippines.

Abstaining: Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Colombia, German Democratic Republic, Germany, Federal Republic of, Italy, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

The representative of the Philippines subsequently indicated that he had intended to abstain in the voting.

347. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, Belgium, Cyprus, France, Japan, Norway, Senegal, Somalia, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

348. For the text of the resolution, see chapter II, section A, resolution 1987/49.

Situation of human rights in El Salvador

349. In connection with this matter, the Commission had before it the following documents: A/41/710, E/CN.4/1987/21, E/CN.4/1987/52, E/CN.4/1987/NGO/7, E/CN.4/1987/NGO/17 and E/CN.4/1987/NGO/23.

350. At the 43rd meeting, on 3 March 1987, the Special Representative, Mr. J.A. Pastor Ridruejo, introduced his report (E/CN.4/1987/21) to the Commission.

351. On 5 March 1987, a draft resolution (E/CN.4/1987/L.54) was submitted by Argentina, Brazil, Colombia, Costa Rica, Mexico, Norway, Peru, Spain* and Venezuela. Greece* and Yugoslavia subsequently joined the sponsors.

352. At the 56th meeting, on 11 March 1987, the representative of Costa Rica introduced a revised draft resolution (E/CN.4/1987/L.54/Rev.1) sponsored by Argentina, Brazil, Colombia, Costa Rica, Greece*, Mexico, Norway, Peru, Spain*, Venezuela and Yugoslavia. Italy and the Netherlands* subsequently joined the sponsors.

353. The revised draft resolution differed from the original draft resolution (E/CN.4/1987/L.54) in that the words "and also makes a special appeal to all sectors of the population to participate and to declare individually or

through the various groups existing in the country on the ways that will lead to national reconciliation and to the achievement of a just and lasting peace" were deleted at the end of operative paragraph 7.

354. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.76) of draft resolution E/CN.4/1987/L.54/Rev.1. 1/

355. A statement relating to the draft resolution was made by the observer for El Salvador.

356. At the request of the representative of the Byelorussian Soviet Socialist Republic, a roll-call vote was taken on draft resolution E/CN.4/1987/L.54/Rev.1, which was adopted by 36 votes to none, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Ireland, Italy, Japan, Lesotho, Liberia, Mexico, Nicaragua, Norway, Peru, Philippines, Senegal, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

Against: None.

Abstaining: China, Iraq, Mozambique, Pakistan, Rwanda, Somalia, Sri Lanka.

357. Statements in explanation of vote after the vote were made by the representatives of the German Democratic Republic and the United States of America.

358. For the text of the resolution, see chapter II, section A, resolution 1987/51.

Right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

359. At the 56th meeting, on 11 March 1987, Mr. R. Robertson, Chairman-Rapporteur of the working group on 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 introduced the report of the working group (E/CN.4/1987/38).

360. At the same meeting, draft resolution E/CN.4/1987/L.58, sponsored by Australia, was introduced by the representative of that country. Senegal subsequently joined in sponsoring the draft resolution.

361. The representative of Australia orally revised draft resolution E/CN.4/1987/L.58 by inserting a new paragraph after operative paragraph 1 and renumbered the remaining paragraphs accordingly.

362. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.83) of draft resolution E/CN.4/1987/L.58. 1/

363. At the same meeting, the draft resolution, as orally revised, was adopted without a vote.

364. For the text of the resolution, see chapter II, section A, resolution 1987/52.

Situation of human rights in Guatemala

365. In connection with this matter, the Commission had before it the following documents: E/CN.4/1987/24, E/CN.4/1987/NGO/6, E/CN.4/1987/NGO/43, E/CN.4/1987/NGO/44, E/CN.4/1987/NGO/60 and E/CN.4/1987/NGO/62.

366. At the 40th meeting, on 27 February 1987, the Special Representative, Viscount Colville of Culross, introduced his report (E/CN.4/1987/24) to the Commission.

367. On 24 February 1987, a draft resolution (E/CN.4/1987/L.33) was submitted by Australia, Austria, Canada*, Ireland and Norway, reading as follows:

"Situation of human rights in Guatemala

"The Commission on Human Rights,

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

"Reiterating that the Governments of all Member States have an obligation to promote and protect human rights and fundamental freedoms,

"Recalling its resolutions 1983/37 of 8 March 1983, 1984/53 of 14 March 1984, 1985/36 of 13 March 1985 and 1986/62 of 13 March 1986 on the situation of human rights in Guatemala,

"Recalling also General Assembly resolutions 38/100 of 16 December 1983, 39/120 of 14 December 1984, 40/140 of 13 December 1985 and 41/156 of 4 December 1986,

"Bearing in mind that the General Assembly in its resolution 41/156 recommended that the Commission on Human Rights should continue to consider the situation of human rights and fundamental freedoms in Guatemala,

"Welcoming again the Guatemalan Government's intention of promoting respect for human rights and the measures it has taken to that end,

"Noting at the same time with concern reports of alleged violations of human rights, in particular politically related assassinations and involuntary disappearances, despite the measures taken by the Government,

"Considering that the United Nations ought to be prepared to consider providing assistance to any nation emerging from a period during which human rights violations have been committed, if the nation in question so requests, in order to contribute to the observance of human rights and fundamental freedoms,

"1. Expresses its gratitude to Viscount Colville of Culross for his report (E/CN.4/1987/24), as well as for the manner in which he has carried out his mandate as Special Representative of the Commission on Human Rights;

"2. Commends the Government of Guatemala for the co-operation extended to the Commission on Human Rights and for the assistance given to its Special Representative;

"3. Welcomes the return to constitutionality in Guatemala and the initiation of democratization, which are fundamental steps in the process of achieving complete and effective enjoyment of human rights and fundamental freedoms by all sectors of the population of Guatemala, and encourages the Government of Guatemala to continue to take measures for the effective application of the Constitution and other laws aimed at guaranteeing those rights and freedoms;

"4. Takes into account the fact that the new Guatemalan Amparo, Habeas Corpus and Constitutionality Act establishes guarantees and means of defence of the constitutional order and of the individual human rights protected by the Constitution and provides for means of monitoring effective compliance with the provisions of the Constitution;

"5. Welcomes the establishment of a national commission on human rights and expresses the hope that its terms of reference will be adopted in the near future;

"6. Welcomes also the fact that the Constitution establishes and institutionalizes the office of an attorney for human rights, and expresses the hope that such an official will be appointed in the near future;

"7. Expresses the hope that the appropriate authorities will investigate human rights violations reported to them, including those which occurred before the Government took office, and that they will, in particular, make all possible efforts to clarify the fate of the disappeared persons;

"8. Encourages the Government of Guatemala to continue to take effective measures within the framework of the Constitution to ensure that its authorities and agencies, civilian as well as military, including law enforcement officials, fully respect human rights and fundamental freedoms;

"9. Takes note with satisfaction of the willingness of the Government of Guatemala to continue co-operating with the Commission on Human Rights by providing full and detailed information on the implementation of the new legal order for the protection of human rights and its efforts to guarantee the full enjoyment of fundamental freedoms in Guatemala, and requests the Secretary-General to provide to that end such advisory services and other assistance as may be requested by the constitutional Government of Guatemala;

"10. Decides to extend the mandate of the Special Representative as contained in paragraph 8 of its resolution 1986/62 for one year, and requests him to submit a report to it at its forty-fourth session;

"11. Decides to continue to consider the situation of human rights in Guatemala at its forty-fourth session."

368. On the same day, a draft resolution (E/CN.4/1987/L.36) was submitted by Argentina, Bolivia*, Brazil, Colombia, Costa Rica, Honduras*, Mexico, Paraguay*, Peru, Uruguay* and Venezuela, reading as follows:

"Situation of human rights in Guatemala

"The Commission on Human Rights,

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

"Recalling its resolution 1986/62 of 13 March 1986 concerning the situation of human rights in Guatemala, in which it was decided to terminate the mandate of the Special Rapporteur and the Commission's study of the human rights situation in Guatemala,

"Also recalling that, in its resolution 1986/62, it requested the Chairman of the Commission on Human Rights at its forty-second session to appoint a special representative to receive and evaluate information on the efforts of the Government of Guatemala to guarantee the full enjoyment of fundamental freedoms in that country,

"Welcoming the process of democratization and the return to constitutionality, which constitute fundamental steps towards the full and effective enjoyment of human rights and fundamental freedoms,

"Having considered the report of the Special Representative (E/CN.4/1987/24),

"Taking into account the fact that the constitutional Government of Guatemala has made great efforts to guarantee the full application of the rights of the individual and of fundamental freedoms, and has made substantial progress in that area during its first year in office, as is apparent from the report of the Special Representative,

"Considering that the United Nations should be ready to consider providing assistance to any nation which so requests, when violations of human rights have been committed in the past history of that nation,

"1. Expresses its gratitude to Viscount Colville of Culross for his report and for the manner in which he has discharged his mandate as Special Representative appointed by the Chairman of the Commission on Human Rights at its forty-second session;

"2. Expresses its appreciation to the Government of Guatemala for its collaboration with the Commission on Human Rights, as well as the facilities and co-operation afforded to the Special Representative;

"3. Notes with satisfaction the measures taken by the Government of Guatemala to guarantee the protection of human rights and fundamental freedoms in that country;

"4. Expresses its support for the democratic Government of Guatemala and declares its backing for that Government in continuing the process of strengthening democracy and consolidating the essential rights of the human being;

"5. Requests the Secretary-General to provide such advisory services and other appropriate forms of assistance in the field of human rights as may be requested by the constitutional Government of Guatemala with a view to fostering advances in democracy and consolidating the institutions responsible for ensuring respect for human rights;

6. "Decides to terminate its consideration of the situation of human rights in Guatemala as provided for in resolutions 1983/37 of 18 March 1983, 1984/53 of 14 March 1984, 1985/36 of 13 March 1985 and 1986/62 under the agenda item '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', and recommends that the situation of human rights in Guatemala should in future be considered under the agenda item 'Advisory services in the field of human rights';

"7. Requests the Secretary-General to keep the Commission on Human Rights informed of the manner in which co-operation projects with the Government of Guatemala are being implemented in the context of advisory services in the field of human rights."

369. At the 56th meeting, on 11 March 1987, the representative of Venezuela introduced a combined revised draft resolution (E/CN.4/1987/L.33/Rev.1-E/CN.4/1987/L.36/Rev.1) sponsored by Argentina, Australia, Austria, Bolivia*, Brazil, Canada*, Colombia, Costa Rica, Honduras*, Ireland, Mexico, Norway, Paraguay*, Peru, Uruguay and Venezuela. The Netherlands* and Spain* subsequently joined the sponsors.

370. The representative of Norway made a statement relating to the draft resolution.

371. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.95) of the combined revised draft resolution. 1/

372. The draft resolution was adopted without a vote.

373. For the text of the resolution, see chapter II, section A, resolution 1987/53.

Situation of human rights in southern Lebanon

374. At the 56th meeting, on 11 March 1987, the representative of India introduced draft resolution E/CN.4/1987/L.63, sponsored by Algeria, Bulgaria, the Byelorussian Soviet Socialist Republic, India, Iraq, Jordan*, Lebanon*, the Libyan Arab Jamahiriya*, Mongolia*, Morocco*, Oman*, Pakistan, Poland*, Qatar*, Saudi Arabia*, Somalia, the Syrian Arab Republic*, the Union of Soviet Socialist Republics and Yemen*. Afghanistan* subsequently joined the sponsors.

375. The representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.63. At the request of the representative of the Byelorussian Soviet Socialist Republic, the vote was taken by roll-call. The draft resolution was adopted by 26 votes to 1, with 15 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Lesotho, Mozambique, Nicaragua, Pakistan, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Yugoslavia.

Against: United States of America.

Abstaining: Argentina, Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, Norway, Peru, United Kingdom of Great Britain and Northern Ireland, Venezuela.

376. For the text of the resolution, see chapter II, section A, resolution 1987/54.

Situation of human rights in the Islamic Republic of Iran

377. In connection with this matter, the Commission had before it the following documents: A/41/787, E/CN.4/1987/23, E/CN.4/1987/NGO/1, E/CN.4/1987/NGO/38, E/CN.4/1987/NGO/51.

378. At the 40th meeting, on 27 February 1987, the Special Rapporteur, Mr. R. Galindo Pohl, introduced his report (E/CN.4/1987/23) to the Commission.

379. At the 56th meeting, on 11 March 1987, the representative of Norway introduced draft resolution E/CN.4/1987/L.65, sponsored by Australia, Austria, Belgium, Canada*, Denmark*, Ireland, Luxembourg*, the Netherlands*, Norway, Portugal*, and the United Kingdom of Great Britain and Northern Ireland.

380. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.84) of draft resolution E/CN.4/1987/L.65. 1/

381. A statement relating to the draft resolution was made by the observer for the Islamic Republic of Iran.

382. At the same meeting, the representative of Pakistan moved, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1987/L.65.

383. Statements relating to the motion were made by the representatives of Australia, the Federal Republic of Germany and India.

384. The representative of Pakistan requested a roll-call vote on the motion, which was rejected by 16 votes to 16, with 10 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Ethiopia, German Democratic Republic, India, Mozambique, Nicaragua, Pakistan, Somalia, Sri Lanka, Union of Soviet Socialist Republics.

Against: Australia, Austria, Belgium, Costa Rica, France, Germany, Federal Republic of, Iraq, Ireland, Italy, Mexico, Norway, Peru, Philippines, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Colombia, Cyprus, Gambia, Japan, Lesotho, Rwanda, Senegal, Venezuela, Yugoslavia.

385. A statement in explanation of vote after the vote was made by the representative of Brazil.

386. At the same meeting, the representative of Pakistan requested a roll-call vote on draft resolution E/CN.4/1987/L.65. The draft resolution was adopted by 18 votes to 5, with 16 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Colombia, Costa Rica, France, Germany, Federal Republic of, Iraq, Ireland, Italy, Mexico, Norway, Peru, Philippines, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Algeria, Ethiopia, Pakistan, Somalia, Sri Lanka.

Abstaining: Argentina, Bangladesh, Brazil, Bulgaria, Congo, Cyprus, Gambia, German Democratic Republic, India, Japan, Lesotho, Mozambique, Nicaragua, Rwanda, Senegal, Yugoslavia.

The representatives of the Byelorussian Soviet Socialist Republic, China and the Union of Soviet Socialist Republics stated that their delegations were not participating in the vote.

387. Statements in explanation of vote after the vote were made by the representatives of Argentina and Japan.

388. For the text of the resolution, see chapter II, section A, resolution 1987/55.

Human rights and mass exoduses

389. At the 56th meeting, on 11 March 1987, the representative of Australia introduced draft resolution E/CN.4/1987/L.69, sponsored by Australia, Canada*, Costa Rica, the Federal Republic of Germany, Ireland, Japan, Jordan* and Pakistan.

390. The draft resolution was adopted without a vote.

391. For the text of the resolution, see chapter II, section A, resolution 1987/56.

Summary or arbitrary executions

392. In connection with this matter, the Commission had before it document E/CN.4/1987/20.

393. At the 56th meeting, on 11 March 1987, the representative of Norway introduced draft resolution E/CN.4/1987/L.70, sponsored by Belgium, Denmark*, Finland*, France, Greece*, Italy, the Netherlands*, Norway, Portugal*, Spain*, Sweden* and the United Kingdom of Great Britain and Northern Ireland. Costa Rica, Cyprus and the Gambia subsequently joined the sponsors.

394. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.85) of draft resolution E/CN.4/1987/L.70. 1/

395. The draft resolution was adopted without a vote.

396. An explanation of vote after the vote was made by the representative of the United States of America.

397. For the text of the resolution, see chapter II, section A, resolution 1987/57.

Question of human rights and fundamental freedoms in Afghanistan

398. In connection with this matter, the Commission had before it the following documents: A/41/778, E/CN.4/1987/22, E/CN.4/1987/48, E/CN.4/1987/49, E/CN.4/1987/56 and E/CN.4/1987/57.

399. At the 40th meeting, on 27 February 1987, the Special Rapporteur, Mr. F. Ermacora, introduced his report (E/CN.4/1987/22) to the Commission.

400. At the 56th meeting, on 11 March 1987, the representative of Belgium introduced draft resolution E/CN.4/1987/L.78, sponsored by Australia, Belgium, Canada*, Denmark*, France, Germany, Federal Republic of, Greece*, Ireland,

Italy, Japan, the Netherlands*, Norway, Portugal*, Spain* and the United Kingdom of Great Britain and Northern Ireland. Luxembourg* subsequently joined the sponsors.

401. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.87) of draft resolution E/CN.4/1987/L.78. 1/

402. Statements relating to the draft resolution were made by the representatives of Belgium, Brazil, Bulgaria, the Gambia, Germany, Federal Republic of, Pakistan and the United Kingdom of Great Britain and Northern Ireland, and by the observer for Afghanistan.

403. At the request of the representative of the Byelorussian Soviet Socialist Republic, a roll-call vote was taken on draft resolution E/CN.4/1987/L.78. The draft resolution was adopted by 26 votes to 8, with 7 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

Against: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Ethiopia, German Democratic Republic, India, Nicaragua, Union of Soviet Socialist Republics.

Abstaining: Congo, Cyprus, Iraq, Lesotho, Sri Lanka, Togo, Yugoslavia.

The representative of Mozambique stated that his delegation was not participating in the vote.

404. Statements in explanation of vote after the vote were made by the representatives of Bulgaria, the German Democratic Republic and Pakistan.

405. For the text of the resolution, see chapter II, section A, resolution 1987/58.

406. At the same meeting, draft resolution E/CN.4/1987/L.79, sponsored by the Union of Soviet Socialist Republics and subsequently also by Democratic Yemen* and the Syrian Arab Republic*, was introduced by the representative of the Union of Soviet Socialist Republics. The draft resolution read as follows:

"Question of human rights and fundamental freedoms
of the people of Afghanistan

"The Commission on Human Rights,

"Taking note of the report of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan (E/CN.4/1987/22),

"Taking into consideration the policy of national reconciliation proclaimed by the Government of Afghanistan, which includes in particular the unilateral cessation of combat actions, the general amnesty and renunciation of prosecution for earlier anti-governmental activities,

"Stressing the necessity of securing the right of Afghan refugees to return to their homeland unhindered, in safety and honour,

"Welcoming the resumption of the activities of the International Committee of the Red Cross in Afghanistan,

"Bearing in mind that it has not yet been possible for the Special Rapporteur to visit Afghanistan,

"Noting with satisfaction the willingness of the present Government of Afghanistan to co-operate with the Commission and its Special Rapporteur, in particular the invitation extended to him to visit Afghanistan,

"1. Decides to extend the mandate of the Special Rapporteur for a year and to request him to report to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session on the question of human rights and fundamental freedoms in Afghanistan, taking into consideration the effects on the human rights situation in the country of the policy of national reconciliation;

"2. Decides to consider in detail the question of the human rights and fundamental freedoms of the people of Afghanistan at its forty-fourth session, after having examined the report submitted by the Special Rapporteur after his visit to Afghanistan."

407. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.86) of draft resolution E/CN.4/1987/L.79. 1/

408. The representative of Belgium moved, under rule 65, paragraph 2, of the rules of procedures of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1987/L.79.

409. A statement on the motion was made by the representative of the Union of Soviet Socialist Republics.

410. The representative of the Union of Soviet Socialist Republics requested a roll-call vote on the motion, which was adopted by 22 votes to 9, with 10 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, China, Colombia, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, Norway, Pakistan, Rwanda, Senegal, Somalia, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Ethiopia, German Democratic Republic, India, Nicaragua, Union of Soviet Socialist Republics.

Abstaining: Cyprus, Gambia, Iraq, Lesotho, Peru, Philippines, Sri Lanka, Togo, Venezuela, Yugoslavia.

The representative of Mozambique stated that his delegation was not participating in the vote.

411. For the text of the decision, see chapter II, section B, decision 1987/107.

412. At the same meeting, draft resolution E/CN.4/1987/L.80, sponsored by the Byelorussian Soviet Socialist Republic, was introduced by the representative of that country. The draft resolution, which was subsequently withdrawn, read as follows:

"Question of the human rights and fundamental freedoms
of the Afghan people

"The Commission on Human Rights,

"Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

"Reaffirming that the Governments of all Member States have a duty to promote and protect human rights and fundamental freedoms and to fulfil their obligations under international agreements,

"Reaffirming also that one of the fundamental tasks of the United Nations is to ensure the observance, promotion and strengthening of human rights among Member States,

"Noting the grave concern of the international community regarding the continuing suffering of Afghan refugees,

"Convinced that a settlement in and around Afghanistan is a fundamental prerequisite for solution of the refugee problem.

"Noting in this regard the beginning of a process of withdrawal of foreign forces from Afghanistan and the declared readiness to accelerate it, as soon as a fair settlement around Afghanistan has been achieved,

"Recalling the relevant resolutions of the General Assembly, the Economic and Social Council and the Commission, adopted before the end of 1986, expressing grave concern at the human rights situation in Afghanistan,

"Noting with satisfaction that, as from the beginning of 1987, the new Government of Afghanistan has been pursuing a policy of national

reconciliation in the country, whose purpose is to halt bloodshed, establish peace and assure and guarantee for Afghanistan the status of a sovereign, independent, non-aligned State,

"Noting that the principles of national reconciliation proclaimed by the present Government of Afghanistan, including in particular the equitable representation of the whole people in the political structure and in economic life, a general amnesty, non-prosecution for earlier political activities, and respect for the holy Muslim religion, form a sound basis for a settlement in Afghanistan,

"Welcoming the readiness of the present Government of Afghanistan to conduct a dialogue with opposition forces, on matters including the creation of a coalition Government in which they would participate,

"Recognizing that dialogue is the best means of securing, through negotiations, a comprehensive political solution which will ensure genuine national reconciliation and put an end to the sufferings of the Afghan people,

"Taking note with satisfaction of the readiness of the present Government of Afghanistan to co-operate with the Commission and its Special Rapporteur, and in particular the permission granted to him to visit Afghanistan,

"Welcoming the Government of Afghanistan's resumed co-operation with the International Committee of the Red Cross,

"Bearing in mind the changes in attitudes among a significant proportion of the refugees, and also the opposition forces, as a result of which tens of thousands of people have declared that they are halting their armed struggle and are ready to join in the process of peaceful construction in Afghanistan,

"Noting with great alarm that Afghan refugees wishing to return to their homeland are being prevented from doing so by every possible means, through resort to disinformation, intimidation, persecution and even physical violence,

"Considering that special attention should be paid to the question of the return of Afghan refugees to their homeland, and especially to the obstacles which have been placed in their way,

"1. Welcomes the efforts of the present Government of Afghanistan to achieve national reconciliation in the country;

"2. Calls on all States to promote a peaceful settlement in and around Afghanistan and to refrain from any interference whatsoever in the internal affairs of Afghanistan, and from subversive activity;

"3. Solemnly reaffirms the right of Afghan refugees to return to their homes in safety and honour;

"4. Urges the States concerned to take the necessary measures to ensure that Afghan refugees can without hindrance realize their freely taken decision to return to their homeland;

"5. Requests the Special Rapporteur, in preparing his report, to pay particular attention to this matter."

Situation in Sri Lanka

413. On 5 March 1987, a draft resolution (E/CN.4/1987/L.74) was submitted by Argentina, reading as follows:

"The Commission on Human Rights,

"Guided by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the humanitarian rules of article 3 common to the Geneva Conventions of 1949,

"Recalling its appeal at its fortieth session, in decision 1984/111 of 14 March 1984, to all parties to the conflict in Sri Lanka to continue to take all necessary measures to restore harmony among the people of Sri Lanka, and the expression of its hope that they would succeed in achieving a satisfactory solution,

"Having considered all the information furnished to the Commission by the Government of Sri Lanka,

"Noting that the Special Rapporteur on torture has described the situation in Sri Lanka as a matter of great concern,

"Noting also that more than a hundred new cases of disappearances in Sri Lanka have been transmitted to the Government by the Working Group on Enforced or Involuntary Disappearances,

"1. Calls upon all parties and groups involved in the conflict to respect fully the humanitarian rules set out in article 3 common to the Geneva Conventions of 1949;

"2. Requests the Government of Sri Lanka to permit the International Committee of the Red Cross to fulfil its functions of protection of humanitarian standards, including the provision of assistance and protection to victims of all affected parties;

"3. Invites the Government of Sri Lanka to extend an invitation to the Working Group on Enforced or Involuntary Disappearances to visit Sri Lanka;

"4. Requests the Secretary-General to submit a report to the Commission on Human Rights at its forty-fourth session on the implementation of the present resolution."

414. On 10 March 1987, amendments (E/CN.4/1987/L.91) to draft resolution E/CN.4/1987/L.74 were submitted by Pakistan, reading as follows:

"1. In the first preambular paragraph, delete the words 'and the humanitarian rules of article 3 common to the Geneva Conventions of 1949'.

"2. Amend the second preambular paragraph to read:

'Recalling that the Commission at its fortieth session, by its decision 1984/111 of 14 March 1984, decided that further consideration of the situation in Sri Lanka was not necessary,'.

"3. At the end of the third preambular paragraph, add the words 'and especially the proposals submitted by that Government for a negotiated political settlement,'.

"4. In the fourth preambular paragraph, replace the words 'as a matter of great concern' by the words ', which finds itself caught in a spiral of violence and where civilians are allegedly tortured in order to extract information from them about planned acts of violence by the insurgents, as one of great concern,'.

"5. In the fifth preambular paragraph:

(a) Add the word 'alleged' between the words 'of' and 'disappearances';

(b) At the end of the paragraph add the words 'as well as the responses transmitted to the Working Group by the Government of Sri Lanka,'.

"6. In operative paragraph 1, replace the words following 'involved in' by the words 'acts of violence against the Government of Sri Lanka to cease such armed violent activities thereby facilitating the continuation of the peace process.'.

"7. Delete operative paragraph 2.

"8. Delete operative paragraph 3.

"9. Delete operative paragraph 4."

415. At the 58th meeting on 12 March 1987, the representative of Argentina introduced a revised draft resolution (E/CN.4/1987/L.74/Rev.1), sponsored by Argentina, Canada* and Norway.

416. At the same meeting, the representative of Senegal proposed amending draft resolution E/CN.4/1987/L.74/Rev.1 as follows:

(a) The third and fourth preambular paragraphs, which read:

"Noting that the Special Rapporteur on torture has described the situation, in which Sri Lanka finds itself caught in a spiral of violence and where civilians are allegedly tortured in order to extract information from them about planned acts of violence by the insurgents, as one of great concern,

"Noting also that more than a hundred new cases of alleged disappearances in Sri Lanka have been transmitted to the Government by the Working Group on Enforced or Involuntary Disappearances, as well as the responses transmitted to the Working Group by the Government of Sri Lanka,"

were deleted and a new third preambular paragraph was added.

(b) In operative paragraph 3, the words "Appeals to" were replaced by the word "Invites";

(c) Operative paragraphs 4 and 5, which read:

"4. Encourages the Government of Sri Lanka to continue its co-operation with the Working Group on Enforced or Involuntary Disappearances;

"5. Invites the Government of Sri Lanka to present a report to the Commission on Human Rights at its forty-fourth session on the implementation of the present resolution"

were deleted and a new operative paragraph 4 was added;

(d) A title reading "Situation in Sri Lanka" was inserted.

417. These amendments were accepted by the sponsors.

418. Statements relating to the amendments were made by the representatives of Argentina, Brazil, Ireland and Senegal.

419. The revised draft resolution, as orally amended, was adopted without a vote.

420. For the text of the resolution, see chapter II, section A, resolution 1987/61.

421. Following the adoption of the resolution, statements were made by the representatives of India and Sri Lanka.

422. Statements in right of reply or equivalent to right of reply were made by the representatives of India and Sri Lanka and by the observer for Canada.

A. Question of human rights in Cyprus

423. In connection with agenda item 12 (a), the Commission had before it documents E/CN.4/1987/19 and E/CN.4/1987/58.

424. Statements were made 3/ by the following members of the Commission: Algeria (51st), Bulgaria (51st), Cyprus (51st), Ethiopia (47th), Gambia (52nd), German Democratic Republic (44th), India (51st), Italy (50th), Mexico (52nd), Mozambique (49th), Nicaragua (51st), Pakistan (51st), Sri Lanka (51st), Union of Soviet Socialist Republics (49th), United Kingdom of Great Britain and Northern Ireland (46th).

425. The Commission heard statements at the 52nd meeting by the observers for Cuba, Czechoslovakia, Greece, Poland, the Syrian Arab Republic, Turkey, the United Republic of Tanzania and Viet Nam.

426. Statements were also made by the following non-governmental organizations: Commission of the Churches on International Affairs of the World Council of Churches (46th), International Youth and Student Movement for the United Nations (52nd), World Federation of Democratic Youth (48th).

427. Statements in right of reply or equivalent to right of reply were made at the 53rd meeting by the representative of Cyprus and by the observers for Greece and Turkey.

428. At the 56th meeting, on 11 March 1986, the representative of Yugoslavia introduced draft resolution E/CN.4/1987/L.49, sponsored by Algeria, the Congo, Cuba*, Cyprus, India, Madagascar*, Mozambique, Sri Lanka, Yugoslavia and Zimbabwe*. Democratic Yemen*, Egypt* and Nicaragua subsequently joined the sponsors.

429. The representative of Cyprus and the observer for Turkey made statements relating to the draft resolution.

430. Statements in explanation of vote before the vote were made by the representatives of the United States of America and Venezuela.

431. At the request of the representative of the United States of America, a vote was taken on the draft resolution, and at the request of the representative of Pakistan, the vote was taken by roll-call. The draft resolution was adopted by 25 votes to 3, with 15 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Lesotho, Liberia, Mexico, Mozambique, Nicaragua, Peru, Philippines, Senegal, Sri Lanka, Togo, Union of Soviet Socialist Republics, Yugoslavia.

Against: Bangladesh, Pakistan, United States of America.

Abstaining: Australia, Austria, Belgium, China, France, Germany, Federal Republic of, Iraq, Ireland, Italy, Japan, Norway, Rwanda, Somalia, United Kingdom of Great Britain and Northern Ireland, Venezuela.

432. Statements in explanation of vote after the vote were made by the representatives of Australia, the Gambia, Germany, Federal Republic of, and Senegal.

433. For the text of the resolution, see chapter II, section A, resolution 1987/50.

B. 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); report of the Working Group established by the Commission at its forty-second session

434. The Commission considered subitem 12 (b) in closed session at its 37th, 39th, 41st and 42nd meetings, held on 26 and 27 February and 2 March 1987. It examined the human rights situations in Albania, Haiti, Paraguay and Zaire and took action thereon under Economic and Social Council resolution 1503 (XLVIII), as publicly announced by the Chairman after the closed part of the 42nd meeting.

435. At its 42nd (closed) meeting, on 2 March 1987, the Commission concluded consideration of the human rights situation in Haiti under Economic and Social Council resolution 1503 (XLVIII) by adopting, without a vote, a decision in the form of a resolution, with a recommendation to the Economic and Social Council. Acting under paragraph 8 of Council resolution 1503 (XLVIII), the Commission decided that the resolution it had adopted should be made public and recommended to the Economic and Social Council that the report of the Commission's Special Representative on the human rights situation in Haiti (E/CN.4/1987/R.2) should also be made public.

436. The Commission's attention was drawn to an estimate of the administrative and programme budget implications of the resolution. 1/

437. For the text of the resolution, see chapter II, section A, resolution 1987/13. For the recommendation to the Economic and Social Council, see also chapter I, section B, draft decision 1.

438. Also at the 42nd (closed) meeting, the Commission adopted, without a vote, a general decision concerning the establishment, with the approval of the Economic and Social Council, of a working group of five of its members (Working Group on Situations) to meet for one week prior to the Commission's forty-fourth 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-ninth session under Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970 and those situations of which the Commission was seized. It was agreed that the general decision should be made public.

439. The Commission's attention was drawn to an estimate of the administrative and programme budget implications of the decision. 1/

440. For the text of the decision, see chapter II, section B, decision 1987/103. For the approval sought from the Economic and Social Council, see chapter I, section B, draft decision 2.

441. The Chairman reminded the members of the Commission that, in conformity with paragraph 8 of Council resolution 1503 (XLVIII), they should not make any reference in public debate to the confidential decisions taken under Council resolution 1503 (XLVIII) nor to any confidential material relating thereto.

442. At the 59th meeting, on 13 March 1987, the Chairman announced that, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the following members of the Commission had been designated to serve in their personal capacity on the Working Group on Situations:

Mr. Marc Bossuyt (Belgium)

Mr. Todor Dichev (Bulgaria)

Mr. Mujyanama Theoneste (Rwanda)

Mr. Armando Villanueva del Campo (Peru).

The Chairman announced that the member from the Asian group would be designated in due course, upon completion of consultations.

XIII. QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

443. The Commission considered agenda item 13 at its 55th meeting, held on 11 March 1987. 2/

444. The Commission had before it the following documents:

Report of the open-ended working group on a draft convention on the rights of the child (E/CN.4/1987/25);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/10);

Written statement submitted by the World Young Women's Christian Association, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/27);

Written statement submitted by Defense for Children, a non-governmental organization on the Roster (E/CN.4/1987/NGO/39);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/65).

445. Mr. A. Lopatka, Chairman-Rapporteur of the working group on a draft convention on the rights of the child, introduced the report of the working group.

446. In the general debate on this item, statements were made by the following members of the Commission: Algeria, Belgium, France, Iraq, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

447. The representative of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1987/L.57, sponsored by Afghanistan*, Algeria, Angola*, Argentina, Australia, Austria, Bangladesh, Bhutan*, Bolivia*, Bulgaria, the Byelorussian Soviet Socialist Republic, Cameroon*, Canada*, China, Colombia, the Congo, Costa Rica, Côte d'Ivoire*, Cuba*, Cyprus, Czechoslovakia*, Democratic Yemen*, Denmark*, Egypt*, Ethiopia, Finland*, France, Gabon*, the Gambia, the German Democratic Republic, Ghana*, Greece*, Hungary*, India, Iran (Islamic Republic of)*, Iraq, Italy, Jordan*, Kenya*, Lebanon*, the Libyan Arab Jamahiriya*, Madagascar*, Mexico, Mongolia*, Morocco*, Mozambique, Nepal*, the Netherlands*, New Zealand*, Nicaragua, Nigeria*, Norway, Pakistan, Panama*, Peru, the Philippines, Poland*, Portugal*, Romania*, Rwanda, Senegal, Somalia, Spain*, Sri Lanka, the Syrian Arab Republic*, Togo, Tunisia*, the Ukrainian Soviet Socialist Republic*, the Union of Soviet Socialist Republics, the United Republic of Tanzania*, Uruguay*, Venezuela, Viet Nam*, Yemen*, Zaire* and Zimbabwe*. Honduras* subsequently joined the sponsors.

448. The Commission's attention was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.82) of the draft resolution. 1/

449. Draft resolution E/CN.4/1987/L.57 was adopted without a vote.

450. For the text of the resolution, see chapter II, section A, resolution 1987/48.

XIV. MEASURES TO IMPROVE THE SITUATION AND ENSURE THE
HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

451. The Commission considered agenda item 14 at its 54th meeting, held on 10 March 1987. 2/

452. The Commission had before it the following documents:

Report of the General Assembly's Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families (A/C.3/41/3);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/13);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/68);

Written statement submitted by the Movement against Racism and for Friendship among Peoples, a non-governmental organization on the Roster (E/CN.4/1987/NGO/70).

453. The representative of Mexico introduced draft resolution E/CN.4/1987/L.62, sponsored by Algeria, Argentina, Colombia, Cuba*, Egypt*, France, Greece*, India, Italy, Mexico, Morocco*, Nicaragua, Peru, the Philippines, Portugal*, Spain* and Yugoslavia. Senegal subsequently joined the sponsors.

454. The Commission adopted draft resolution E/CN.4/1987/L.62 without a vote.

455. A statement in explanation of vote after the vote was made by the representative of the Federal Republic of Germany.

456. For the text of the resolution, see chapter II, section A, resolution 1987/43.

XV. THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF
HUMAN RIGHTS, INCLUDING THE QUESTION OF CONSCIENTIOUS
OBJECTION TO MILITARY SERVICE

457. The Commission considered agenda item 15 at its 54th meeting, held on 10 March 1987. 2/

458. The Commission had before it a written statement submitted by the Friends World Committee for Consultation, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/71).

459. The representative of Bulgaria introduced draft resolution E/CN.4/1987/L.53, sponsored by Algeria, Bulgaria, the Byelorussian Soviet Socialist Republic, China, the Congo, Egypt*, the German Democratic Republic, India, the Libyan Arab Jamahiriya*, Mexico, Mozambique, Nicaragua, Peru, Romania*, the Syrian Arab Republic* and the United Republic of Tanzania. Afghanistan* and Czechoslovakia* subsequently joined the sponsors.

460. The representative of Bulgaria orally revised operative paragraph 4 of draft resolution E/CN.4/1987/L.53 by replacing the words "and requests" following the date "29 August 1985" by the words "in which the Sub-Commission requested".

461. The representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.53, as orally revised. At the request of the representative of Bulgaria, the vote was taken by roll-call. The draft resolution was adopted by 34 votes to none, with 8 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Germany, Federal Republic of, Italy, Japan, Liberia, United Kingdom of Great Britain and Northern Ireland, United States of America.

462. Statements in explanation of vote after the vote were made by the representatives of Japan and the United Kingdom of Great Britain and Northern Ireland.

463. For the text of the resolution, see chapter II, section A, resolution 1987/44.

464. The representative of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1987/L.66, sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia* and the German Democratic Republic.

465. The representative of the Byelorussian Soviet Socialist Republic orally revised draft resolution E/CN.4/1987/L.66 as follows:

(a) In the fifth preambular paragraph, the words "the majority of" were deleted before the words "young people";

(b) In the seventh preambular paragraph, the words "which ended on 31 December 1985" were inserted between the words "International Youth Year" and "in order".

466. The representative of the United States of America requested a vote on draft resolution E/CN.4/1987/L.66. At the request of the representative of the Byelorussian Soviet Socialist Republic, the vote was taken by roll-call. The draft resolution, as orally revised, was adopted by 41 votes to none, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Ireland, Italy, Japan, Liberia, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: None.

Abstaining: United States of America.

467. For the text of the resolution, see chapter II, section A, resolution 1987/45.

468. The representative of Austria introduced draft resolution E/CN.4/1987/L.73, sponsored by Austria, Costa Rica, France, Italy, the Netherlands*, Spain* and the United Kingdom of Great Britain and Northern Ireland.

469. The representative of Austria orally revised draft resolution E/CN.4/1987/L.73 as follows:

(a) In the eighth preambular paragraph, the words ", the realization of the right to self-determination" were inserted between the words "international peace" and the words "and the development";

(b) In operative paragraph 1, the word "Determines" was replaced by the words "Appeals to States to recognize";

(c) In operative paragraph 2, the words "recognizing the right to be exempted" were replaced by the word "exemption".

470. A statement relating to the draft resolution was made by the representative of Mexico.

471. At the request of the representative of Iraq, a roll-call vote was taken on draft resolution E/CN.4/1987/L.73, as orally revised, which was adopted by 26 votes to 2, with 14 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Liberia, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Iraq, Mozambique.

Abstaining: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cyprus, Ethiopia, German Democratic Republic, India, Mexico, Nicaragua, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

472. Statements in explanation of vote after the vote were made by the representatives of Algeria, the Congo, Cyprus, the Federal Republic of Germany, Iraq, Mozambique, Nicaragua, Venezuela and Yugoslavia.

473. A statement equivalent to right of reply was made by the observer for the Islamic Republic of Iran.

474. For the text of the resolution, see chapter II, section A, resolution 1987/46.

XVI. IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

475. The Commission considered agenda item 16 concurrently with items 6, 7 and 17 (see chaps. VI, VII and XVII) at its 15th to 21st meetings, held from 11 to 16 February, and at its 38th and 44th meetings, held on 26 February and 3 March 1987. 2/

476. The Commission had before it the following documents:

Note by the Secretary-General concerning the status of the Convention and of the submission of reports by States parties under article VII of the Convention (E/CN.4/1987/26);

Reports submitted by States parties under article VII of the Convention (E/CN.4/1987/26/Add.1-15);

Note by the Secretary-General transmitting views and information submitted by States parties in accordance with Commission resolution 1986/7 (E/CN.4/1987/27 and Add.1 and 2);

Report of the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of Apartheid (E/CN.4/1987/28).

477. At the 15th meeting, on 11 February 1987, Mr. Boudjemâa Delmi, Chairman-Rapporteur of the Group of Three, introduced the report of the Group on its tenth session (E/CN.4/1987/28).

478. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (16th), Argentina (19th), Australia (17th), Bangladesh (19th), Belgium (18th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (18th), Costa Rica (16th), Cyprus (18th), Ethiopia (16th), German Democratic Republic (17th), Germany, Federal Republic of (17th), Mexico (18th), Nicaragua (16th), Pakistan (19th), Peru (18th), Rwanda (19th), Senegal (16th), Somalia (17th), Sri Lanka (18th), Union of Soviet Socialist Republics (18th), Venezuela (19th), Yugoslavia (17th).

479. The Commission also heard statements by the observers for: Cuba (20th), Egypt (20th), Hungary (20th), Mongolia (20th), Morocco (21st), Nicaragua (16th), Poland (21st), Spain (21st), Syrian Arab Republic (17th), United Republic of Tanzania (20th), Ukrainian Soviet Socialist Republic (21st).

480. Statements were made by the observers for the League of Arab States (21st) and the Organization of African Unity (17th).

481. At the 38th meeting, on 26 February 1987, the representative of Algeria introduced draft resolution E/CN.4/1987/L.7, sponsored by Algeria, Angola*, Burundi*, Ethiopia, Ghana*, Iraq, Kenya*, the Libyan Arab Jamahiriya*, Madagascar*, Mozambique, Nicaragua, Nigeria*, Rwanda, Senegal, Somalia and Togo. Afghanistan*, Bulgaria, the Byelorussian Soviet Socialist Republic,

Cameroon*, the Congo, the German Democratic Republic, Qatar*, Sri Lanka, the Syrian Arab Republic*, the Ukrainian Soviet Socialist Republic* and Viet Nam* subsequently joined the sponsors.

482. The representative of Algeria orally revised the last preambular paragraph of the draft resolution by replacing the word "voluntary" by the word "mandatory".

483. The representative of the United States of America requested a vote on the draft resolution.

484. At the request of the representative of the Federal Republic of Germany, a separate vote was taken on the following group of paragraphs: the sixth, seventh, thirteenth and fourteenth preambular paragraphs and operative paragraphs 8, 10, 14 and 15. At the request of the representative of Algeria the vote was taken by roll-call. The sixth, seventh, thirteenth and fourteenth preambular paragraphs and operative paragraphs 8, 10, 14 and 15 were adopted by 30 votes to 6, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Liberia, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Australia, Austria, Brazil, Ireland, Japan, Norway.

485. At the request of the representative of Algeria, a roll-call vote was taken on draft resolution E/CN.4/1987/L.7 as a whole. The draft resolution, as orally revised, was adopted by 31 votes to 1, with 10 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Liberia, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, United Kingdom of Great Britain and Northern Ireland.

486. At the same meeting, statements in explanation of vote after the vote were made by the representatives of Australia, the Federal Republic of Germany, Japan and the United States of America.

487. At the 44th meeting, on 3 March 1987, statements in explanation of vote after the vote were made by the representatives of Austria, Ireland and Norway.

488. For the text of the resolution, see chapter II, section A, resolution 1987/11.

XVII. STUDY IN COLLABORATION WITH THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES OF WAYS AND MEANS OF ENSURING THE IMPLEMENTATION OF UNITED NATIONS RESOLUTIONS BEARING ON APARTHEID, RACISM AND RACIAL DISCRIMINATION; IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

489. The Commission considered agenda item 17 concurrently with items 6, 7 and 16 (see chaps. VI, VII and XVI) at its 15th to 21st meetings, held from 11 to 16 February and at its 38th and 44th meetings, held on 26 February and 3 March 1987. 2/

490. The Commission had before it the following documents:

Draft plan of activities for the period 1985-1989 submitted by the Secretary-General in accordance with General Assembly Resolution 38/14 (A/39/167-E/1984/33 and Add.1 and 2);

Report of the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (E/CN.4/1987/29);

Annual report on racial discrimination submitted by the International Labour Organisation (E/CN.4/1987/30);

Annual report on racial discrimination submitted by the United Nations Educational, Scientific and Cultural Organization (E/CN.4/1987/31);

Note by the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (E/CN.4/1987/50);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/12);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/41);

Report of the seminar on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid (ST/HR/SER.A/19).

491. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (16th), Argentina (19th), Australia (17th), Bangladesh (19th), Belgium (18th), Brazil (19th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (18th and 19th), Colombia (16th), Costa Rica (16th), Cyprus (18th), France (19th), Gambia (21st), German Democratic Republic (17th), Germany, Federal Republic of (17th), India (15th), Iraq (19th), Ireland (17th), Japan (18th), Mexico (18th), Mozambique (19th), Nicaragua (16th), Norway (16th), Pakistan (19th), Peru (18th), Senegal (19th), Somalia (17th),

Sri Lanka (18th), Union of Soviet Socialist Republics (18th), United Kingdom of Great Britain and Northern Ireland (19th), United States of America (16th), Venezuela (19th), Yugoslavia (17th).

492. The Commission also heard statements by the observers for: Afghanistan (18th), Angola (21st), Canada (18th), Cuba (20th), Czechoslovakia (20th), Democratic Kampuchea (20th), Democratic Yemen (20th), Egypt (20th), Hungary (20th), Israel (21st), Mongolia (20th), Morocco (21st), Poland (21st), Portugal (18th), Spain (21st), Syrian Arab Republic (17th), Turkey (20th), Ukrainian Soviet Socialist Republic (21st), United Republic of Tanzania (20th), Viet Nam (20th).

493. A statement was made by the observer for the Organization of African Unity (17th).

494. The observer for the African National Congress of South Africa (16th) also made a statement.

495. Statements were also made by the following non-governmental organizations: Baha'i International Community (15th), Four Directions Council (15th), Jaycees International (17th), World Union for Progressive Judaism (15th).

496. At the 38th meeting, on 26 February 1987, the Assistant Secretary-General for Human Rights made a statement in connection with document E/CN.4/1987/50, in which he referred to a number of possible activities under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination which could be envisaged during the period 1990-1993.

497. At the same meeting, the representative of Senegal introduced draft resolution E/CN.4/1987/L.18, sponsored by Algeria, Angola*, Burundi*, Cameroon*, Congo, Côte d'Ivoire*, Cuba*, Kenya*, Madagascar*, Nigeria*, Rwanda, Senegal, Somalia, Sudan*, the Syrian Arab Republic*, Togo and the United Republic of Tanzania*. Afghanistan*, the Libyan Arab Jamahiriya*, Mozambique and Nicaragua subsequently joined the sponsors.

498. The representative of Senegal orally revised the draft resolution as follows:

- (a) The order of the ninth and tenth preambular paragraphs was reversed;
- (b) After the last preambular paragraph, a new preambular paragraph was added;
- (c) A new operative paragraph was inserted between paragraphs 11 and 12, and the existing paragraph 12 was renumbered accordingly.

499. The representative of the Gambia proposed that the word "draft" be inserted before the words "plan of activities" in the antepenultimate preambular paragraph of the revised draft resolution. The amendment was accepted by the sponsors and the draft resolution, as orally revised and amended, was adopted without a vote.

500. At the same meeting, statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany, Japan and the United States of America.

501. For the text of the resolution, see chapter II, section A, resolution 1987/12.

502. At the 44th meeting, on 3 March 1987, the Assistant Secretary-General for Human Rights made a statement relating to document E/CN.4/1987/50.

XVIII. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

503. The Commission considered agenda item 18 concurrently with item 8 (see chap. VIII) at its 25th and 26th meetings, held on 18 February, at its 28th to 31st meetings, held on 19, 20 and 23 February, and at its 53rd and 54th meetings, held on 10 March 1987. 2/

504. The Commission had before it the following documents:

Report of the Secretary-General on the status of the International Covenants on Human Rights and the Optional Protocol to the International Covenant on Civil and Political Rights (A/41/509);

Note verbale dated 5 December 1986 from the Permanent Mission of the Netherlands to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a paper entitled "The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights" (E/CN.4/1987/17);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/11).

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/50)

505. In the general debate on this item 3/ statements were made by the following members of the Commission: Argentina (29th), Australia (28th), Austria (26th), Belgium (29th), Bulgaria (28th), Byelorussian Soviet Socialist Republic (28th), Colombia (29th), Cyprus (28th), Germany, Federal Republic of (29th), Iraq (26th), Ireland (26th), Italy (28th), Japan (26th), Mexico (28th), Nicaragua (28th), Norway (28th), Rwanda (28th), Union of Soviet Socialist Republics (25th and 29th), United Kingdom of Great Britain and Northern Ireland (28th).

506. The Commission heard statements by the observers for: Afghanistan (31st), Czechoslovakia (31st), Hungary (30th), Netherlands (30th), Poland (31st), Ukrainian Soviet Socialist Republic (31st).

507. Statements were also made by the following non-governmental organizations: Amnesty International (30th), Baha'i International Community (30th), Four Directions Council (30th), International Commission of Jurists (30th), International Indian Treaty Council (31st), International Movement for Fraternal Union among Races and Peoples (31st), World Union for Progressive Judaism (31st).

508. At the 53rd meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 18.

509. The representative of Australia introduced draft resolution E/CN.4/1987/L.19, sponsored by Australia, Bulgaria, the Byelorussian Soviet Socialist Republic, Costa Rica and the Netherlands*. New Zealand*, Nicaragua* and the Philippines subsequently joined the sponsors.

510. The representative of Australia orally revised draft resolution E/CN.4/1987/L.19 as follows:

(a) In the first preambular paragraph the words ", notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights," were inserted between the words "human rights" and "which";

(b) The second preambular, paragraph which read:

"Emphasizing the primacy of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights in this network,"

was deleted.

511. At the 54th meeting, on 10 March 1987, draft resolution E/CN.4/1987/L.19, as orally revised, was adopted without a vote.

512. For the text of the resolution, see chapter II, section A, resolution 1987/24.

513. At the 53rd meeting, on 10 March 1987, the representative of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1987/L.22, sponsored by the Byelorussian Soviet Socialist Republic and Poland*.

514. The representative of the Byelorussian Soviet Socialist Republic orally revised draft resolution E/CN.4/1987/L.22 as follows:

(a) The title "Status of the Convention on the Prevention and Punishment of the Crime of Genocide" was added;

(b) In the last preambular paragraph the word "implementation" was replaced by the words "strict observance".

515. At the 54th meeting, on 10 March 1987, draft resolution E/CN.4/1987/L.22, as orally revised, was adopted without a vote.

516. For the text of the resolution, see chapter II, section A, resolution 1987/25.

517. At the 53rd meeting, on 10 March 1987, the representative of the Federal Republic of Germany introduced draft decision E/CN.4/1987/L.30, submitted by his country and subsequently sponsored also by Argentina.

518. At the 54th meeting, on 10 March 1987, draft decision E/CN.4/1987/L.30 was adopted without a vote.

519. For the text of the decision, see chapter II, section B, decision 1987/104.

520. At the 53rd meeting, on 10 March 1987, the representative of Norway introduced draft resolution E/CN.4/1987/L.35, sponsored by Australia, Austria, the Byelorussian Soviet Socialist Republic, Canada*, Costa Rica, Denmark*, Finland*, the German Democratic Republic, Italy, the Netherlands*, Nicaragua, Norway, Peru, Senegal, Spain* and the United Kingdom of Great Britain and Northern Ireland. Argentina and Cyprus subsequently joined the sponsors.

521. The representative of Norway orally revised operative paragraph 15 of the draft resolution by deleting the words ", as a leading treaty body,".

522. At the 54th meeting, on 10 March 1987, draft resolution E/CN.4/1987/L.35, as orally revised, was adopted without a vote.

523. For the text of the resolution, see chapter II, section A, resolution 1987/26.

XIX. REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES ON ITS THIRTY-NINTH SESSION

524. The Commission considered agenda item 19 at its 38th meeting, held on 26 February, and at its 54th meeting, held on 10 March 1987. 2/

525. The Commission had before it the following documents:

Letter dated 26 November 1986 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General, transmitting the conclusions and recommendations of the NGO seminar on human rights in the United Nations held at Geneva from 8 to 10 September 1986 (A/41/926);

Report of the Working Group on Traditional Practices Affecting the Health of Women and Children (E/CN.4/1986/42);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/33);

Written statement submitted by the World Federation for Mental Health, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/36);

Progress report prepared by Mr. Mubanga-Chipoya, Special Rapporteur of the Sub-Commission, on the right of everyone to leave any country, including his own, and to return to his country (E/CN.4/Sub.2/1985/9);

Report of the Sub-Commission's Working Group on Indigenous Populations on its fourth session (E/CN.4/Sub.2/1985/22 and Add.1).

526. At the 38th meeting, in the general debate on this item, statements were made by the following members of the Commission: Australia, Austria, Belgium, India, Norway, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

527. The Commission also heard a statement by the observer for Canada.

528. Statements were also made by the following non-governmental organizations: Anti-Slavery Society for the Protection of Human Rights, Four Directions Council, Human Rights Advocates, Inc., International Commission of Jurists, International Movement for Fraternal Union among Races and Peoples.

529. At the 54th meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 19.

530. The representative of Norway introduced draft resolution E/CN.4/1987/L.59, sponsored by Argentina, Australia, Canada*, China, Cuba*, Denmark*, Finland*, the German Democratic Republic, Honduras*, the Netherlands*, New Zealand*, Nicaragua, Norway, Peru, Sweden*, the United Republic of Tanzania*, the United States of America and Yugoslavia.

531. The representative of Norway orally revised draft resolution E/CN.4/1987/L.59 by deleting the word "further" in operative paragraph 5.

532. The Assistant Secretary-General for Human Rights made a statement relating to the draft resolution.

533. At the same meeting, the draft resolution, as orally revised, was adopted without a vote.

534. For the text of the resolution, see chapter II, section A, resolution 1987/34.

535. At the same meeting, the representative of Austria introduced draft resolution E/CN.4/1987/L.64, sponsored by Austria, Belgium, Canada*, Greece*, the Netherlands*, Norway and the United Kingdom of Great Britain and Northern Ireland. The Gambia, India and Senegal subsequently joined the sponsors.

536. At the same meeting, the draft resolution was adopted without a vote.

537. For the text of the resolution, see chapter II, section A, resolution 1987/35.

538. At the 59th meeting, on 13 March 1987, the Assistant Secretary-General for Human Rights announced that the Secretary-General had designated the following persons, subject to their acceptance, as members of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations, as requested in paragraph 5 of resolution 1987/34:

Mr. Leif Dunjflø
Mr. Alioune Sène
Mr. Hiwi Tauroa
Mr. Danilo Turk
Mr. Augusto Willemsen-Díaz.

XX. RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC,
RELIGIOUS AND LINGUISTIC MINORITIES

539. The Commission considered agenda item 20 at its 54th meeting, held on 10 March 1987. 2/

540. The Commission had before it the following documents:

Report of the open-ended working group established by the Commission on Human Rights at its forty-third session to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1987/32);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/41);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/68).

541. An informal open-ended working group was established by the Commission in order to consider further the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities.

542. At the 54th meeting, on 10 March 1987, Mrs. Z. Ilic, Chairman-Rapporteur, introduced the report of the working group (E/CN.4/1987/32).

543. A draft resolution (E/CN.4/1987/L.52) sponsored by Yugoslavia was introduced by the representative of that country.

544. The representative of Yugoslavia orally revised operative paragraph 3 of the draft resolution by replacing the word "less" by "fewer".

545. The draft resolution, as orally revised, was adopted without a vote.

546. For the text of the resolution, see chapter II, section A, resolution 1987/47.

XXI. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

547. The Commission considered agenda item 21 at its 32nd meeting, held on 23 February, and at its 54th meeting, held on 10 March 1987. 2/

548. The Commission had before it the report of the Secretary-General submitted in pursuance of Commission resolutions 1986/52 and 1986/53 (E/CN.4/1987/33 and Add.1, Add.1/Corr.1 and Add.2).

549. At the 32nd meeting, on 23 February 1987, in the general debate on this item, statements were made by the following members of the Commission: Australia, Austria, Belgium, Cyprus, Germany, Federal Republic of, Japan, Norway, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

550. The Commission also heard statements by the observers for Canada and Finland.

551. A statement was made by the International Movement for Fraternal Union among Races and Peoples.

552. At the 54th meeting, on 10 March 1987, the Commission took up consideration of the draft resolutions submitted under agenda item 21.

553. The representative of Costa Rica introduced draft resolution E/CN.4/1987/L.26, sponsored by Costa Rica and Peru.

554. Draft resolution E/CN.4/1987/L.26 was adopted without a vote.

555. For the text of the resolution, see chapter II, section A, resolution 1987/36.

556. At the same meeting, the representative of the Federal Republic of Germany introduced draft resolution E/CN.4/1987/L.55, sponsored by Austria, Belgium, Bolivia*, Canada*, Colombia, Cyprus, Finland*, France, Germany, Federal Republic of, Norway and the United Kingdom of Great Britain and Northern Ireland. Italy and Peru subsequently joined the sponsors.

557. Draft resolution E/CN.4/1987/L.55 was adopted without a vote.

558. For the text of the resolution, see chapter II, section A, resolution 1987/37.

559. At the same meeting, the representative of the Federal Republic of Germany introduced draft resolution E/CN.4/1987/L.56, sponsored by Austria, Canada*, Germany, Federal Republic of, and Norway. Peru, Senegal and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

560. Draft resolution E/CN.4/1987/L.56 was adopted without a vote.

561. For the text of the resolution, see chapter II, section A, resolution 1987/38.

XXII. IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

562. The Commission considered agenda item 22 at its 20th to 25th meetings, held from 13 to 18 February, and at its 46th meeting, held on 4 March 1987. 2/

563. The Commission had before it the following documents:

Reports of the Secretary-General pursuant to Commission resolutions 1985/51 and 1986/19 (E/CN.4/1986/37 and Add.1/Rev.1 and Add.2-5; E/CN.4/1987/34 and Add.1 and 2);

Report by Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur appointed in accordance with Commission resolution 1986/20 (E/CN.4/1987/35);

Written statement submitted by the World Federation of United Nations Associations, a non-governmental organization in consultative status (category I) (E/CN.4/1987/NGO/25);

Written statements submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/41 and E/CN.4/1987/NGO/52);

Written statement submitted by the International Indian Treaty Council, a non-governmental organization in consultative status (category II) (E/CN.4/1987/NGO/58);

Report by Mrs. Elizabeth Odio Benito, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, entitled "Study of the current dimensions of the problems of intolerance and of discrimination on grounds of religion or belief" (E/CN.4/Sub.2/1987/26).

564. At the 20th meeting, the Special Rapporteur, Mr. A. Vidal d'Almeida Ribeiro, introduced his report (E/CN.4/1987/35).

565. In the general debate on this item, 3/ statements were made by the following members of the Commission: Argentina (24th), Australia (21st), Austria (23rd), Belgium (22nd), Brazil (22nd), Bulgaria (21st), Byelorussian Soviet Socialist Republic (24th), China (23rd), Colombia (23rd), Costa Rica (22nd), France (22nd), German Democratic Republic (22nd), Germany, Federal Republic of (22nd), India (23rd), Iraq (24th), Ireland (21st), Italy (22nd), Nicaragua (23rd), Norway (21st), Peru (23rd), Philippines (23rd), Senegal (22nd), Sri Lanka (23rd), Union of Soviet Socialist Republics (22nd), United Kingdom of Great Britain and Northern Ireland (23rd), United States of America (22nd).

566. The Commission heard statements by the observers for: Afghanistan (24th), Bolivia (24th), Burundi (24th), Canada (24th), Czechoslovakia (24th), Israel (24th), Netherlands (24th), Portugal (24th), Syrian Arab Republic (23rd), Ukrainian Soviet Socialist Republic (24th). The observer for the Holy See (24th) also made a statement.

567. The Commission heard statements by the following non-governmental organizations: Anti-Slavery Society for the Protection of Human Rights (24th), Baha'i International Community (24th), Christian Democratic International (24th), Christian Peace Conference (24th), Commission of the Churches on International Affairs of the World Council of Churches (24th), Four Directions Council (24th), Human Rights Advocates, Inc. (24th), International Association for the Defence of Religious Liberty (24th), International Commission of Jurists (24th), International Council of Jewish Women (24th), International Federation of Human Rights (24th), International Fellowship of Reconciliation (24th), International Indian Treaty Council (24th), Pax Christi (24th), Pax Romana (24th), World Jewish Congress (speaking also on behalf of the Co-ordinating Board of Jewish Organizations) (24th), World Union for Progressive Judaism (22nd).

568. Statements in right of reply or equivalent to right of reply were made at the 25th meeting by the representatives of Iraq and Pakistan and by the observers for Iran (Islamic Republic of), Romania and Viet Nam.

569. At the 46th meeting, on 4 March 1987, the representative of Ireland introduced draft resolution E/CN.4/1987/L.32, sponsored by Belgium, Canada*, Costa Rica, Finland*, the Gambia, Germany, Federal Republic of, Ireland, Italy, Peru, Philippines, Portugal* and Senegal. Argentina, Austria, the Byelorussian Soviet Socialist Republic, Colombia, France, Hungary*, the Netherlands*, Nicaragua, Norway, Poland*, the Union of Soviet Socialist Republics and the United States of America subsequently joined the sponsors.

570. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1987/L.38) of draft resolution E/CN.4/1987/L.32. 1/

571. A statement relating to the draft resolution was made by the representative of the Union of Soviet Socialist Republics.

572. The draft resolution was adopted without a vote.

573. For the text of the resolution, see chapter II, section A, resolution 1987/15.

XXIII. DRAFT PROVISIONAL AGENDA FOR THE FORTY-FOURTH SESSION
OF THE COMMISSION

574. The Commission considered agenda item 23 at its 59th meeting, on 13 March 1987. 2/

575. In accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII), the Commission had before it a note by the Secretary-General (E/CN.4/1987/L.1) containing a draft provisional agenda for the forty-fourth session of the Commission and indicating the documents to be submitted under each item and the legislative authority for their preparation.

576. A draft decision (E/CN.4/1987/L.96) was submitted by the Chairman. It was adopted without a vote.

577. For the text of the decision, see chapter II, section B, decision 1987/111.

578. The Commission then took up consideration of document E/CN.4/1987/L.1.

579. The representative of Venezuela proposed with regard to item 12 that the document referred to under (c), entitled "Report of the expert (paragraph 11 of resolution 1987/53)" be transferred to item 22.

580. Statements relating to the proposal were made by the representatives of Australia, Colombia, Costa Rica, Ireland, Norway, Senegal, the United States of America and Venezuela.

581. The representative of Senegal proposed that the Commission decide to transfer the reference at (c) under item 12 to item 22, it being understood that at the Commission's forty-fourth session the report in question could be referred to in the context of item 12 should it be deemed pertinent to do so.

582. Statements relating to that proposal were made by the representatives of Argentina, Austria, Brazil, Colombia, Costa Rica, the Gambia, Ireland, Mexico, Norway, Peru and Venezuela.

583. The representative of the Gambia moved, under rule 50 of the rules of procedure of the functional commissions of the Economic and Social Council, the closure of the debate on the proposal by Senegal.

584. The representatives of Ireland and Norway opposed the motion.

585. The representative of Venezuela requested a roll-call vote on the motion, which was adopted by 39 votes to 1, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Iraq, Ireland, Italy, Japan, Lesotho, Mexico, Mozambique, Nicaragua, Norway, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: United Kingdom of Great Britain and Northern Ireland.

586. A statement in explanation of vote after the vote was made by the representative of the United States of America.

587. The representative of Ireland requested a roll-call vote on the proposal by Senegal, which was adopted by 28 votes to 4, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Italy, Japan, Mexico, Mozambique, Nicaragua, Pakistan, Peru, Philippines, Rwanda, Senegal, Somalia, Sri Lanka, Togo, United States of America of America, Venezuela, Yugoslavia.

Against: Australia, France, Ireland, Norway.

Abstaining: Belgium, Byelorussian Soviet Socialist Republic, Germany, Federal Republic of, Iraq, Lesotho, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland.

The representatives of Austria and Bulgaria stated that their delegations were not participating in the vote.

588. For the text of the decision, see chapter II, section B, decision 1987/112.

589. At the same meeting, the Commission took note of the draft provisional agenda, as amended.

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

591. The draft provisional agenda for the forty-fourth session of the Commission reads as follows:

1. Election of officers
2. Adoption of the agenda

3. Organization of the work of the session

Legislative authority: relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Commission.

4. Question of the violation of human rights in the occupied Arab territories, including Palestine

Legislative authority: Commission resolutions 1987/1, 1987/2 A and 1987/2 B.

Documentation:

- (a) Reports of the Secretary-General (paragraph 9 of resolution 1987/1, paragraph 14 of resolution 1987/2 A and paragraph 9 of resolution 2 B);
- (b) List of United Nations reports appearing between sessions of the Commission that deal with the situation of the population of the occupied territories (paragraph 15 of resolution 1987/2 A).

5. Question of human rights in Chile

Legislative authority: Commission resolution 1987/60.

Documentation:

Report of the Special Rapporteur (paragraph 12)

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

Legislative authority: Commission resolutions 1987/8 and 1987/14.

Documentation:

Report of the Ad Hoc Working Group of Experts (paragraphs 24 and 25 of resolution 1987/8, paragraphs 30 and 32 of resolution 1987/14).

7. 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

Legislative authority: Commission resolutions 1987/9 and 1987/10.

Documentation:

Updated report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (paragraph 2 (a) of resolution 1987/10).

8. 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, including:

- (a) Problems related to the right to enjoy an adequate standard of living; the right to development
- (b) The effects of the existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights and fundamental freedoms
- (c) Popular participation in its various forms as an important factor in development and in the full realization of all human rights

Legislative authority: Commission resolutions 1987/17, 1987/18, 1987/19, 1987/20, 1987/21, 1987/22, 1987/23.

Documentation:

- (a) Report of the Secretary-General (paragraph 6 of resolution 1987/19);
- (b) Report of the Secretary-General (paragraph 3 of resolution 1987/21);
- (c) Report of the Working Group (paragraph 7 of resolution 1987/23).

9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

Legislative authority: Commission resolutions 1987/3, 1987/4, 1987/5, 1987/6, 1987/7 and 1987/16.

Documentation:

- (a) Note by the Secretary-General transmitting information pertaining to the implementation of resolution 1987/4 (paragraph 11);
- (b) Report of the Special Rapporteur (paragraph 6 of resolution 1987/16).

10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

- (a) Torture and other cruel, inhuman or degrading treatment or punishment

(b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

(c) Question of enforced or involuntary disappearances

Legislative authority: Commission resolutions 1986/56, 1987/27, 1987/28, 1987/29, 1987/30, 1987/31, 1987/32 and 1987/33.

Documentation:

- (a) Progress report of the Secretary-General (paragraph 2 of resolution 1986/56);
- (b) Report of the Working Group on Enforced or Involuntary Disappearances (paragraph 2 of resolution 1987/27);
- (c) Report of the Special Rapporteur appointed to examine questions relevant to torture (paragraph 12 of resolution 1987/29);
- (d) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (paragraph 5 of resolution 1987/30);
- (e) Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (paragraph 6 of resolution 1987/31);
- (f) Report of the Secretary-General on the implementation of resolution 1987/33 (paragraph 14).

11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

Legislative authority: Commission resolutions 24 (XXXV), 1987/39, 1987/40, 1987/41, 1987/42, and 1987/59; Commission decision 1987/108.

Documentation:

Report of the Secretary-General on the implementation of resolution 1987/39 (paragraph 15).

12. 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, including:

(a) Question of human rights in Cyprus

- (b) 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); report of the Working Group established by the Commission at its forty-third session

Legislative authority: Commission resolutions 1987/50, 1987/51, 1987/52, 1987/53, 1987/54, 1987/55, 1987/56, 1987/57, 1987/58, and 1987/60.

Documentation:

- (a) Report of the Secretary-General on the implementation of resolution 1987/50 (paragraph 5);
- (b) Report by the Special Representative (paragraph 14 of resolution 1987/51);
- (c) Report of the Secretary-General (paragraph 4 (b) of resolution 1987/54);
- (d) Report of the Special Representative (paragraph 6 of resolution 1987/55);
- (e) Report of the Special Rapporteur (operative paragraph 8 of draft resolution III recommended to the Economic and Social Council for adoption);
- (f) Report of the Special Rapporteur (paragraph 12 of resolution 1987/58).

13. Question of a convention on the rights of the child

Legislative authority: Commission resolution 1987/48.

Documentation:

Report of the informal open-ended working group (operative paragraph 1 of draft resolution I recommended to the Economic and Social Council for adoption).

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

Legislative authority: Commission resolution 1987/43.

Documentation:

Note by the Secretary-General containing information on the further progress attained (paragraph 4).

15. Human rights and scientific and technological developments
Legislative authority: Commission resolutions 1986/10 and 1986/11.
Documentation:
Report of the Secretary-General (paragraph 7 of resolution 1986/10).
16. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid
Legislative authority: Commission resolution 1987/11.
Documentation:
Report of the Group of Three established under article IX of the Convention (paragraph 15).
17. (a) Study in collaboration with the Sub-Commission on Prevention of Discrimination and Protection of Minorities of ways and means of ensuring the implementation of United Nations resolutions bearing on apartheid, racism and racial discrimination
(b) Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination
Legislative authority: Commission resolution 1987/12.
Documentation:
Report of the Secretary-General on the progress made in carrying out the plan of activities for the period 1985-1989 (paragraph 6).
18. Status of the International Covenants on Human Rights
Legislative authority: Commission resolution 1987/26.
Documentation:
Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights, including information on the work of the Economic and Social Council and the Committee on Economic, Social and Cultural Rights (paragraph 17).
19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session
Legislative authority: Commission resolution 1987/35.

Documentation:

Report of the Sub-Commission on its thirty-ninth session (paragraph 5).

20. Rights of persons belonging to national, ethnic, religious and linguistic minorities

Legislative authority: Commission resolution 1987/47.

21. Measures to be taken against all totalitarian or other ideologies and practices, including Nazi, Fascist and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences

Legislative authority: Commission resolution 1986/61.

22. Advisory services in the field of human rights

Legislative authority: Commission resolutions 1987/13, 1987/36, 1987/37, 1987/38 and 1987/53.

Documentation:

(a) Report of the expert (paragraph 14 of resolution 1987/13);

(b) Report of the Secretary-General (paragraph 4 of resolution 1987/36);

(c) Report of the Secretary-General (paragraph 9 of resolution 1987/37);

(d) Report of the Secretary-General (paragraph 5 of resolution 1987/38);

(e) Report of the expert (paragraph 11 of resolution 1987/53).

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

Legislative authority: Commission resolution 1987/15.

Documentation:

(a) Report of the Special Rapporteur of the Sub-Commission (paragraph 12);

(b) Report of the Special Rapporteur (paragraph 13);

(c) Report of the Secretary-General (paragraph 16).

24. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

Legislative authority: Economic and Social Council resolution 1334 (XLIV) and decision 1978/21.

25. Draft provisional agenda for the forty-fifth session of the Commission

Legislative authority: Economic and Social Council resolution 1894 (LVII).

Documentation:

Note by the Secretary-General containing the draft provisional agenda for the forty-fifth session of the Commission, together with information concerning documentation relating thereto.

26. Report to the Economic and Social Council on the forty-fourth session of the Commission

Legislative authority: rule 38 of the rules of procedure of the functional commissions of the Economic and Social Council.

XXIV. ADOPTION OF THE REPORT

592. At its 59th meeting, on 13 March 1987, the Commission considered the draft report on the work of its forty-third session. The draft report, as amended in the course of the discussion, was adopted.

NOTES

* Under rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council, which provides that the sponsors of proposals submitted to the Commission may include States not members of the Commission.

1/ An estimate of the administrative and programme budget implications of the Commission's resolutions and decisions appears in annex III.

2/ The summary records of the meetings are issued in final form by meeting, subject to correction, and are validated by a consolidated corrigendum; for the current session, this will be E/CN.4/1987/SR.1-59/Corrigendum.

3/ The number in parenthesis following the name of a country or organization indicates the meeting at which a statement was made by that country or organization and corresponds to the relevant summary record.

ANNEXES

Annex I

ATTENDANCE

Members

Algeria

Mr. M. Kemal Hacene, Mr. Hamida Redouane*, Mrs. Fatma-Zohra Ksentini**,
Mr. Boudjemâa Delmi**, Mr. Amar Abba**, Miss Fatiha Bouamrane**,
Mr. Abd-el-Naceur Belaid**, Mr. Tewfik Dahmani**

Argentina

Mr. Leandro Despouy, Mr. Gregorio Dupont*, Mr. Sergio Cerda**,
Mr. Alberto D'Alotto**

Australia

Mr. Robert H. Robertson, Mr. Stuart Hume*, Miss Ruth Pearce**,
Mr. John Quinn**, Mr. Benny Mills**, Mr. Brian Stewart**,
Ms. Leanne Robertson**

Austria

Mr. Felix Ermacora, Mr. Helmut Tuerk, a/ Mr. Christian Strohal*,
Mr. Helmut Tichy**, Mr. Florian Krenkel**, Mr. Manfred Nowak**

Bangladesh

Mr. Fazle Kaderi Muhammad Abdul Munim, Mr. A.H.S. Ataul Karim*,
Mr. Mahbulul Huq*, Mr. M. Motahar Hossain*, Mr. Liaquat Ali Choudhury**

Belgium

Mr. Marc Bossuyt, Mr. Guy Trouveroy*, Mr. Paul Rietjens*,
Mr. Luc Willemarck**, Mrs. Justine Gentile**

Brazil

Mr. Rubens Antonio Barbosa, Mr. Gilberto Ferreira Martins*,
Mr. Brian Michael Fraser Neele*, Mr. José Augusto Lindgren Alves*,
Mr. José Estanislau do Amaral Souza Neto*, Miss Lucia Bonfim**

* Alternate.

** Adviser.

a/ Ad interim representative during the second half of the session.

Bulgaria

Mr. Todor Dichev, Mr. Raytcho Haralampiev*, Miss Ludmila Bozhkova*,
Mrs. Elena Poptodorova**, Mr. Kosta Andreev**, Mr. Petar Kolarov**,
Mr. Rudolf G. Yossifov**

Byelorussian Soviet Socialist Republic

Mr. L. F. Evmenov, Mr. V. U. Nikouline*, Mr. S. S. Ogourtsov*,
Mr. N. Komissarov**, Mr. V. Bougate**, Mr. A. Sytchev**

China

Mr. Qian Jiadong, Mrs. Gu Yijie*, Mr. Chen Shiqiu*, Mrs. Guo Yuanhui*,
Mr. Zhang Xilin*, Mr. Pan Weihuang*, Mr. Zhang Yishan*, Mrs. Li Yanduan**,
Mrs. Xiang Jiagu**, Mr. Pang Sen**, Mr. Ma Jun**, Mr. Zheng Yong**,
Mr. Cai Lijian**

Colombia

Mr. Héctor Charry Samper, Mrs. Carmen de Duque*, Mr. Luis Alberto Luna**,
Mr. Luis Fernando Peredes**, Mr. Juan Manuel Cano**, Mrs. Clara Jaramillo**

Congo

Mr. Honoré Bikou-M'Bys

Costa Rica

Mr. Elías Soley Soler, Mr. Jorge Rhenán Segura*,
Mr. Evaristo de Segur Piferrer*, Mr. Ruel Brown*

Cyprus

Mr. Andreas Mavrommatis, Mr. Andros A. Nicolaidis*, Mr. Andreas Pirishis*,
Mr. Christophoros Yiangou*

Ethiopia

Mr. Kassa Kebede, Miss Kongit Sinegiorgis*, Mr. G. Medhin Getachew**,
Mr. Mairegu Bezabih**, Mr. Fesseha Yohannes**, Mr. Kifle Shenkoru**,
Mr. Negash Kebret**

France

Mr. Claude-Albert Colliard, Mr. Xavier de Nazelle*, Mr. Jacques Warin*,
Mr. Jean-Pierre Le Court**, Miss Jeanne Texier**, Mr. Pierre Brethes**,
Mrs. Sylvaine Le Vert**, Mr. Serge Telle**, Miss Laurence Auer**,
Mrs. Monique Saliou**, Mr. Jean Pierre-Bloch**, Mr. Gérard Fellouz**

Gambia

Mr. Omotundé A. J. Mahoney

German Democratic Republic

Mr. Rudolf Frambach, Mr. Gerhard Richter*, Mr. Klaus-Dieter Peters**,
Miss Sabine Kramarczyk**, Mr. Wolfgang Grieger**, Ms. Tatjana Ansbach**,
Mr. Thomas Adling**, Mr. Joachim Gadow**

Germany, Federal Republic of

Mr. Richard Jaeger, Mr. Goetz-Alexander Martius*, Mr. Manfred Giesder*,
Mr. Reinhard Hilger**, Mr. Jürgen Dröge**, Mr. Hans Michael Schwandt**,
Mr. Jörg Reinbothe**, Mr. Michael Pulch**, Miss Elisabeth Müller**,
Mr. Frank Hapke**

India

Mr. Veerendra Patil, Mr. P. N. Sukul*, Mr. J. S. Teja*,
Mr. Jayant Prasad**, Mrs. B. Mukherjee**, Mr. B. R. Iyengar**,
Mr. Ajai Malhotra**

Iraq

Mr. Abdul Jabbar Al-Haddawi, Mr. Akram Al-Witri*, Ms. Suha Al-Turihi**,
Mr. Basil Youssif**, Mr. Abdul Muniam Al-Kadhi**, Mr. Mohammed Hussain**

Ireland

Mr. Francis Mahon Hayes, Mr. Patrick Hennessy*, Mr. John D. Biggar*,
Mrs. Kathryn Coll*, Mr. Bertie Hanberry**

Italy

Mr. Francesco Mezzalama, Mr. Mario Maiolini*, Mr. Luigi Ferrari Bravo**,
Mr. Enrico De Maio**, Mr. Giulio Prigioni**, Mr. Folco De Luca**,
Mr. Paolo Vincenzo Massa**, Mr. Alessandro Busacca**,
Mr. Antonio Morabito**, Mrs. Maria Rita Saulle**,
Mr. Francesco Margiotta Broglio**, Mr. Fausto Pocar**,
Mr. Luigi Citarella**, Mr. Giulio Raimondi**, Mr. Giovanni Loreti**,
Mr. Luigi Cardone**

Japan

Mr. Makoto Taniguchi, Mr. Minoru Endo*, Mrs. Mitsu Kimata*,
Mr. Mitsuhiro Nakamura*, Mr. Takahiko Horimura*, Mr. Yuichi Kusumoto**,
Mr. Kenichi Suganuma**, Mr. Tsuneshige Iiyama**, Mr. Shozo Fujita**,
Mr. Sachio Kamogawa**, Mr. Kiyoshi Takahama**, Mr. Kenji Miyata**,
Miss Yoshiko Ando**

Lesotho

Mr. Julias Nako Tsoanamatsie

Liberia

Mr. Amos J. Witherspoon, Mr. Henry D. Williamson*

Mexico

Mr. Jorge Montaño, Mr. Vicente Montemayor*, Mrs. Orpha Garrido Ruiz**

Mozambique

Mr. Murade Isaac M. Murarqy, Mr. Pedro Comissario Afonso*

Nicaragua

Mrs. R. D. Casco, Mr. Gustavo Adolfo Vargas*, Mr. Norman Miranda*,
Mrs. Vilma Nufiez de Escorcia*, Mr. Julio Icaza*, Mrs. Victoria Castillo**,
Mr. Oscar Alemán**

Norway

Mr. Ole Peter Kolby, Mr. Bjornar Utheim*, Mr. Odd Wibe*,
Mr. Sverre Stub**, Mr. Olav Berqthun**, Ms. Mette Ravn**,
Ms. Ragne Birte Lund**, Mr. Ivin Hoyland**, Mr. Petter F. Wille**,
Mr. Helge Brochmann**, Mr. Eidar Truisen**

Pakistan

Mr. S. K. Dehlavi, Mr. Asif Ezdi*, Mr. Shaheen A. Gilani**

Peru

Mr. Javier Valle-Riestra Gonzales-Olaechea, Mr. José Carlos Mariátegui*,
Mr. Felipe Beraún Ugaz**, Mr. Jorge Félix Rubio Correa**,
Mr. Aníbal Quiroga León**

Philippines

Mr. Jose D. Ingles, Mrs. Rosalinda de Perio-Santos*,
Mr. Hector K. Villarroel*, Miss Delia P. Menez*,
Mrs. Victoria Sisante-Bataclan*, Mr. Alejandro L. Catubig**

Rwanda

Mr. Muiyanama Theoneste, Mr. Gatera Jean Marie Viannev*,
Mr. Faustin Kanyamibwa*

Senegal

Mr. Alioune Sène, Mr. Mademba Sy*, Mr. Youssoupha Ndiaye*,
Mr. Ousmane Tanor Dieng*, Mr. Saliou Fall**, Mr. Samba Cor Konate**,
Mr. Babacar Mbaye**, Mr. Felix Oudiane**, Mr. Assane Gaye**,
Mr. Moussa Sane**

Somalia

Mrs. Fatuma Isak Bihi, Mr. Ali A. Madar*, Mr. Ali Hassan Hussein**,
Mr. Nur Sh. Osman**, Ms. Nimao H. Warsame**, Mr. Ali Abdullahi Hussein**

Sri Lanka

Mr. H. W. Jayewardene, Mr. Jayantha Dhanapala*, Mr. P. Sunil C. de Silva*,
Mr. B. A. B. Goonetilleke*, Mr. Hiran Jayewardene*,
Mr. C. R. Jayasinghe**, Mr. M. M. A. Farouque**

Toqo

Mr. Yawo Agboyibor, Mr. Abdoudou Assouma*, Mr. Yao Kpotsra**

Union of Soviet Socialist Republics

Mr. Vladimir Lomeiko, Mr. Alexei Joukov*, Mr. Igor Yakovlev*,
Mr. Igor Blishchenko*, Mr. Ilias Ismailov**, Mr. Konstantin Gutsenko**,
Mr. Michail Vezel**, Mr. Stanislav Chernichenko**, Mr. Samuil Zivs**,
Mr. Tair Tairov**, Mr. Boris Linkov**, Mr. Viacheslav Timofeev**,
Mr. Vladimir Pozdorovkin**, Mr. Vladimir Poliakov**,
Mr. Vladimir Volodin**, Mr. Vladimir Bulishev**,
Mr. Teimouraz Ramishvili**, Mr. Victor Vinnik**, Mr. Kirill Ermishin**,
Mr. Dilavar Aliev**

United Kingdom of Great Britain and Northern Ireland

Sir Anthony Williams, Mr. J. A. Sankey*, Miss. E. I. Young*,
Mr. H. Steel**, Mrs. K. Colvin**, Mr. R. C. B. Jones**, Miss S. Foulds**,
Miss D.-J. Walker**, Mr. M. Longford**, Mr. A. G. Toothe**,
Mr. G. Warrington**

United States of America

Mr. E. Robert Wallach, Mr. Richard S. Williamson*, Ms. Beverly Zweiben*,
Mr. Armando Valladares*, Mrs. Jeane J. Kirkpatrick**,
Mr. Alan L. Cerson**, Ms. Mary Mochary**, Mr. Herbert S. Okun**,
Mr. Jim Moody**, Mr. Lewis Anselem**, Mr. Edmund Atkins**,
Ms. Kristina Arriaga**, Mr. Ronald D. Flack**, Mr. Thomas Johnson**,
Mr. William U. Lawrence**, Mr. Richard McKee**, Mr. Albert Nahas**,
Mr. Roger Pilon**, Mr. Peter Poltun**, Mr. Gordon J. Sterling**,
Mr. Kerry D. Bolognese**

Venezuela

Mr. Adolfo R. Taylhardat, Mr. Enrique ter Horst*, Mr. Héctor C. Azócar**,
Mrs. María E. Ruesta de Furter**, Mr. Luis A. Niño**

Yugoslavia

Mrs. Zagorka Ilic, Mrs. Gordana Diklic-Trajkovic*, Mrs. Marija
Djordjevic*, Mr. Danilo Turk*, Mr. Vojislav Suc**

States Members of the United Nations represented by observers

Afghanistan, Angola, Bahrain, Bhutan, Bolivia, Burma, Burundi, Cameroon, Canada, Chile, Côte d'Ivoire, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Finland, Gabon, Ghana, Greece, Guatemala, Haiti, Honduras, Hungary, Indonesia, Iran (Islamic Republic of), Israel, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Mauritania, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Oman, Panama, Paraguay, Poland, Portugal, Qatar, Romania, Saudi Arabia, Singapore, Spain, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zaire, Zimbabwe

United Nations Council for Namibia, representing Namibia

Non-member States represented by observers

Democratic People's Republic of Korea, Holy See, Republic of Korea, Switzerland

United Nations bodies

Office of the United Nations High Commissioner for Refugees, United Nations Conference on Trade and Development

Specialized agencies

International Labour Organisation, United Nations Educational, Scientific and Cultural Organization

Other intergovernmental organizations

Commission of the European Communities, Council of Europe, Inter-American Commission on Human Rights, Intergovernmental Committee for Migration, League of Arab States, Organization of African Unity

National liberation movements

African National Congress of South Africa, Palestine Liberation Organization, Pan Africanist Congress of Azania, South West Africa People's Organization

Non-governmental organizations in consultative status

Category I

International Confederation of Free Trade Unions, International Council of Voluntary Agencies, International Council of Women, International Council on Social Welfare, International Federation of Business and Professional Women, International Youth and Student Movement for the United Nations, Inter-Parliamentary Union, Muslim World League, Soroptimist International, Women's International Democratic Federation, World Confederation of Labour,

World Federation of Democratic Youth, World Federation of Trade Unions, World Federation of United Nations Associations, World Muslim Congress, Zonta International

Category II

X
Amnesty International, Anti-Slavery Society for the Protection of Human Rights, Arab Lawyers Union, Associated Country Women of the World, Baha'i International Community, Caritas Internationalis, Christian Democratic International, Christian Peace Conference, Commission of the Churches on International Affairs of the World Council of Churches, Co-ordinating Board of Jewish Organizations, Disabled People's International, Four Directions Council, Friends World Committee for Consultation, Human Rights Advocates, Inc., Indigenous World Association, Inter-American Press Association, International Abolitionist Federation, International Association of Democratic Lawyers, International Catholic Child Bureau, International Catholic Migration Commission, International Commission of Jurists, International Committee of the Red Cross, International Co-operation for Development and Solidarity, International Council for Adult Education, International Council of Environmental Law, International Council of Jewish Women, International Federation of Human Rights, International Federation of Social Workers, International Federation of University Women, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Fellowship of Reconciliation, International Indian Treaty Council, International Institute of Humanitarian Law, International League for Human Rights, International Movement A.T.D. Fourth World, International Movement for Fraternal Union among Races and Peoples, International Organization for the Elimination of All Forms of Racial Discrimination, International Organization of Journalists, International Union of Family Organizations, International Union of Students, Jaycees International, Latin American Federation of Associations of Relatives of Disappeared Detainees, Pax Christi, Pax Romana, Rädda Barnen International, Salvation Army, Socialist International Women, Union of Arab Jurists, War Resisters International, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Confederation of Organizations of the Teaching Profession, World Conference on Religion and Peace, World Federation for Mental Health, World Federation of Methodist Women, World Jewish Congress, World Student Christian Federation, World Trade Centers Association, World Union of Catholic Women's Organizations, World University Service, World Young Women's Christian Association

Roster

Centre Europe-Tiers Monde, Defense for Children International Movement, Indian Council of South America, International Association for the Defence of Religious Liberty, International Centre of Sociological, Penal and Penitentiary Research and Studies, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and Other Minorities, International Federation of Free Journalists, International Federation of Rural Adult Catholic Movements, International Human Rights Internship

Programme, International Humanist and Ethical Union, International League for the Rights and Liberation of Peoples, International Progress Organization, International Studies Association, International Young Catholic Students, Islamic Call Society, Minority Rights Group, Movement Against Racism and for Friendship among Peoples, Parliamentary Association for Euro-Arab Co-operation, Procedural Aspects of International Law Institute, Romani Union, World Association for the School as an Instrument of Peace, World Peace Council, World Union for Progressive Judaism

Annex II

AGENDA

1. Election of officers.
2. Adoption of the agenda.
3. Organization of the work of the session.
4. Question of the violation of human rights in the occupied Arab territories, including Palestine.
5. Question of human rights in Chile.
6. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts.
7. The adverse consequences for the enjoyment of human rights of political, military, economic and others forms of assistance given to colonial and racist régimes in southern Africa.
8. 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, including:
 - (a) Problems related to the right to enjoy an adequate standard of living; the right to development;
 - (b) The effects of the existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights and fundamental freedoms;
 - (c) Popular participation in its various forms as an important factor in development and in the full realization of all human rights.
9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.
10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:
 - (a) Torture and other cruel, inhuman or degrading treatment or punishment;
 - (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - (c) Question of enforced or involuntary disappearances.
11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of

the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms.

12. 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, including:
 - (a) Question of human rights in Cyprus;
 - (b) 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): report of the Working Group established by the Commission at its forty-second session.
13. Question of a convention on the rights of the child.
14. Measures to improve the situation and ensure the human rights and dignity of all migrant workers.
15. The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service.
16. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid.
17. (a) Study in collaboration with the Sub-Commission on Prevention of Discrimination and Protection of Minorities of ways and means of ensuring the implementation of United Nations resolutions bearing on apartheid, racism and racial discrimination;
- (b) Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.
18. Status of the International Covenants on Human Rights.
19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session.
20. Rights of persons belonging to national, ethnic, religious and linguistic minorities.
21. Advisory services in the field of human rights.
22. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.
23. Draft provisional agenda for the forty-fourth session of the Commission.
24. Report to the Economic and Social Council on the forty-third session of the Commission.

Annex III

ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS OF RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION AT ITS FORTY-THIRD SESSION

1. In the course of its forty-third session, the Commission on Human Rights adopted 15 resolutions and 2 decisions that have administrative and programme budget implications. The Secretary-General, in compliance with regulation 13.1 of the Financial Regulations of the United Nations and rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, submitted statements on the administrative and financial implications of the proposals.

2. If the Economic and Social Council approves the proposals contained in the report of the Commission, the Secretary-General would request the necessary authority for any additional resources needed to implement them during 1987, 1988 and 1989. Those implications are summarized in the following table.

SUMMARY TABLE, BY SECTION, OF ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS
FOR 1987, 1988 AND 1989 OF RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION
AT ITS FORTY-THIRD SESSION
(United States dollars)

	Section 23 Human rights				Section 29 B Conference Services Division, Geneva				Overall Total
	1987	1988	1989	Total	1987	1988	1989	Total	
<u>Resolutions</u>									
1987/10	65 200	-	-	65 200	-	-	-	-	65 200
1987/13	-	-	-	-	-	-	-	-	(9 300) ^{a/}
1987/14	81 600	186 700	31 800	300 100	76 000	499 600	514 700	1 090 300	1 390 400
1987/15	48 700	1 700	-	50 400	-	-	-	-	50 400
1987/16	51 100	2 500	-	53 600	-	-	-	-	53 600
1987/23	-	-	-	-	-	93 300	-	93 300	93 300
1987/29	47 400	1 300	-	48 700	-	-	-	-	48 700
1987/48	-	-	-	-	-	73 700	-	73 700	73 700
1987/51	46 700	1 300	-	48 000	-	-	-	-	48 000
1987/52	-	-	-	-	-	73 700	-	73 700	73 700
1987/53	12 100	2 500	-	14 600	-	-	-	-	14 600
1987/55	54 500	4 000	-	58 500	-	-	-	-	58 500
1987/57	71 800	4 000	-	75 800	-	-	-	-	75 800
1987/58	42 900	1 400	-	44 300	-	-	-	-	44 300
1987/60	89 500	4 400	-	93 900	-	-	-	-	93 900
<u>Decisions</u>									
1987/103	-	-	-	-	-	50 500	-	50 500	50 500
1987/109	-	-	-	-	-	293 400	-	293 400	293 400
TOTAL	611 500	209 800	31 800	853 100	76 000	1 084 200	514 700	1 674 900	2 528 000

^{a/} Not included in overall totals under section 23 as this amount of \$9,300 is to be incurred under section 24 (Regular programme of technical co-operation).

Resolution 1987/10. Adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist régime of South Africa

3. The administrative and programme budget implications of resolution 1987/10 are the same as those of Commission resolution 1986/6, which were given in the report on the forty-second session (E/1986/22-E/CN.4/1986/5, annex III, paras. 3-11).

4. The costs to be financed under section 23 (Human rights) in connection with the activities called for in resolution 1987/10 are therefore of a similar magnitude to those previously estimated (for 1987, \$65,200). Travel costs will be financed from within existing resources.

Resolution 1987/13. Situation of human rights in Haiti

A. Requests contained in the resolution or decision

5. In paragraph 12 of resolution 1987/13, the Commission requested the Secretary-General to appoint an expert with a view to assisting the Government of Haiti through direct contacts in taking the necessary action for the full restoration of human rights. The Commission further decided, in paragraph 14, to examine the report of the expert at its forty-fourth session under the agenda item entitled "Advisory services in the field of human rights".

B. Relationship of requests to proposed programme of work

6. The activities proposed in the resolution fall under chapter 6, section II, "Programme: Centre for Human rights", subprogramme 3, "Advisory services technical assistance in the field of human rights, and publications", the strategy for which is described in paragraph 6.33 of the medium-term plan for the period 1984-1989 (A/37/6).

7. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 3.2 - Advisory services

Output (iv) Advisory services technical assistance and other forms of expert services to Governments at their request.

C. Activities by which the requests would be implemented

8. It is envisaged that in order to carry out his mandate the expert will establish contacts with the Government of Haiti through its Permanent Mission at United Nations Headquarters. If deemed necessary, the expert, accompanied by a substantive officer from the Centre for Human Rights, may also undertake a visit to Haiti during 1987. The expert designated will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session.

D. Modifications required in the programme of work

9. No modifications are required in the programme of work approved for 1986-1987 or proposed for 1988-1989 since the activity envisaged appears under programme element 3.2.

E. Additional requirements at full cost

10. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One field mission of the expert accompanied by one substantive officer (calculated on a notional basis for a period of 5 working days)</u>		
Travel costs of the expert	2 500 *	
Travel costs of substantive staff	3 300	
General operating expenses: local transport, communications and rental of office space		1 000

One round trip to Geneva of the expert to present his report to the Commission on Human Rights at its forty-fourth session (5 working days)

Travel costs of the expert		----- 2 500 *
Total	----- 6 800	----- 2 500 -----

11. The relevant costs to be financed under section 24 (Regular programme of technical co-operation) are estimated at \$6,800 for 1987 and \$2,500 for 1988.

12. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,000, to be financed under section 29 B (Conference Services Division, Geneva).

* Travel expenses calculated on an average cost basis.

Resolution 1987/14. Situation of human rights in South Africa

A. Requests contained in the resolution or decision

13. In paragraph 25 of resolution 1987/14, the Commission on Human Rights decided to renew the mandate of the Ad Hoc Working Group of Experts on southern Africa.

B. Relationship of requests to proposed programme of work

14. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20 to 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

15. The following programme element of section 23 (Human rights) of the programme budget for 1986-1987 and the proposed programme budget for 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (ii) Substantive servicing of the Ad Hoc Working Group of Experts on human rights in southern Africa, including organization of two series of meetings a year and hearings, field visits, consultations, maintenance of records and drafting of reports to the responsible organ.

C. Activities by which the requests would be implemented

16. In order to determine the programme budget implications of the resolution, the following assumptions are made:

(a) The Ad Hoc Working Group, composed of six experts, will meet for one week in London in July/August 1987 to organize and plan its work in relation to the terms of its mandate and to gather information relevant to its mandate;

(b) In January 1988 the Ad Hoc Working Group will meet in Geneva for two weeks to consider and adopt its progress report for submission to the Commission at its forty-fourth session;

(c) In July/August 1988 the Ad Hoc Working Group, accompanied by substantive administrative and conference servicing staff of the Secretariat, will carry out a field mission for a total duration of approximately four weeks and visit London, Dar es Salaam, Lusaka, Harare, Luanda and Geneva for the purpose of hearing testimony and gathering first-hand information on matters falling within its mandate;

(d) In January 1989, the Ad Hoc Working Group will meet again in Geneva for a period of two weeks to consider and adopt its final report for submission to the Commission at its forty-fifth session.

D. Modifications required in the programme of work

17. No modifications are required in the approved programme of work for 1986-1987 or the proposed programme of work for 1988-1989, since the activity appears under programme element 1.3.

E. Additional requirements at full cost

18. The estimated cost of the above programme of work is itemized as follows:

I. Meeting in London, July/August 1987 (5 working days)

	<u>1987</u>	<u>1988</u> (US dollars)	<u>1989</u>
Travel and subsistence of experts	18 500	-	-
Travel and subsistence of staff of the Centre for Human Rights	4 200	-	-
Principal Secretary 1			
Substantive officer 1			
Secretaries 1			
General operating expenses: rental of office facilities, rooms and office space, local transportation and communications	4 000	-	-
	-----	-----	-----
Total I	26 700	-	-
	-----	-----	-----

II. Meeting in Geneva, January 1988
(10 working days)

Travel and subsistence of experts	-	17 400	-
	-----	-----	-----
Total II	-	17 400	-
	-----	-----	-----

	<u>1987</u>	<u>1988</u> (US dollars)	<u>1989</u>
III. <u>Field mission to Africa,</u>			
<u>July/August 1988 (4 weeks)</u>			
Travel and subsistence of experts	-	49 600	-
Travel and subsistence of staff of the Centre for Human Rights	-	32 400	-
Principal Secretary	1		
Secretary of Committee	1		
Administrative and Finance Officer	1		
Information Officer	1		
Secretaries	2		
General operating expenses: rental of conference rooms and office space, local transportation and communications	-	18 000	-
Total III	----- -	----- 100 000	----- -
IV. <u>Meeting in Geneva, January 1989</u>			
<u>10 working days)</u>			
Travel and subsistence of experts	-	-	17 400
Total IV	----- -	----- -	----- 17 400

V. <u>Other requirements</u>	<u>1987</u>	<u>1988</u> (US dollars)	<u>1989</u>
Temporary assistance for gathering information, compiling materials and assisting in the preparation of the report (P-2 staff member for 21 months)	43 300	57 700	14 400
Travel and subsistence of a member of the <u>Ad Hoc Working Group</u> accompanied by a substantive officer to participate in conferences, meetings and seminars against <u>apartheid</u> (calculated on a notional basis of 5 working days for each trip)			
Travel and subsistence of expert (4 x \$2,500)	5 000	5 000	-
Travel and subsistence of substantive officer (4 x \$2,300)	4 600	4 600	-
Subscriptions to newspapers and periodicals	2 000	2 000	-
Total V	----- 54 900 -----	----- 69 300 -----	----- 14 400 -----

19. The relevant costs to be financed under section 23 (Human rights) are estimated at \$81,600 for 1987, \$186,700 for 1988 and \$31,800 for 1989.

20. The relevant costs under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$76,000 for 1987, \$499,600 for 1988 and \$514,700 for 1989.

Resolution 1987/15. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief

A. Requests contained in the resolution or decision

21. In paragraph 13 of resolution 1987/15 the Commission on Human Rights decided to extend for one year the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world which are inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures, as appropriate.

B. Relationship of requests to proposed programme of work

22. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

23. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1999 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the proposed requests would be implemented

24. It is envisaged that in order to carry out his mandate the Special Rapporteur will travel to Geneva in May/June 1987 for a period of five working days to hold consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. The Special Rapporteur will travel to Geneva for a period of five working days in October 1987 in order to prepare his report and in December 1987 in order to finalize it. In February/March 1988 he will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake one field mission during 1987.

25. Six work-months of temporary assistance at the P-3 level will be required to assist the Special Rapporteur in the preparation of his report.

D. Modifications required in the programme of work

26. No modifications are required in the programme of work approved for 1986-1987, since the activity appears under programme element 1.3.

E. Additional requirements at full cost

27. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	1 700	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report, October 1987 (5 working days)</u>		
Travel and subsistence	1 700	-
<u>One field mission of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 5 working days)</u>		
Travel costs of the Special Rapporteur	2 500 *	-
Travel costs of substantive staff	4 600 *	-
General operating expenses: local transport, communications and rental of office space	1 000	-
<u>One round trip to Geneva of the Special Rapporteur to finalize his report, December 1987 (5 working days)</u>		
Travel and subsistence	1 700	-
<u>One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)</u>		
Travel and subsistence	-	1 700
<u>General temporary assistance</u>		
Six work-months at P-3 level	35 500	-
Total	48 700	1 700

* Travel expenses calculated on an average cost basis.

28. The relevant costs to be financed under section 23 (Human rights) are estimated at \$48,700 for 1987 and \$1,700 for 1988.

29. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,000, to be financed under section 29 B (Conference Services Division, Geneva).

Resolution 1987/16. The use of mercenaries as a means of
impeding the exercise of the right
of peoples to self-determination

A. Requests contained in the resolution or decision

30. In paragraph 1 of resolution 1987/16, the Commission on Human Rights decided to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination.

B. Relationship of requests to proposed programme of work

31. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and the strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

32. The following programme element of section 23 (Human rights) of the programme budget for the bienniums 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

33. It is envisaged that in order to carry out his mandate the Special Rapporteur will travel to Geneva in May/June 1987 for a period of five working days to hold consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. The Special Rapporteur will travel to Geneva for a period of five working days in October 1987 in order to prepare his report and in December 1987 in order to finalize it. In February/March 1988 he will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake one field mission during 1987.

34. Six work-months of temporary assistance at the P-3 level will be required to assist the Special Rapporteur in the preparation of his report.

D. Modifications required in the programme of work

35. No modifications would be required in the programme of work approved for 1986-1987 and proposed for 1988-1989, since the activity appears under programme element 1.3.

E. Additional requirements at full cost

36. The estimated cost of the above programme of work is itemized as follows (travel costs are calculated on a notional basis):

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	2 500	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report, October 1987 (5 working days)</u>		
Travel and subsistence	2 500	-
<u>One field mission of the Special Rapporteur, accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 5 working days)</u>		
Travel costs of the Special Rapporteur	2 500 *	-
Travel costs of substantive staff	4 600 *	-
General operating expenses: local transport, communications and rental of office space	1 000	-
<u>One round trip to Geneva of the Special Rapporteur to finalize his report, December 1987 (5 working days)</u>		
Travel and subsistence	2 500 *	-

* Travel expenses calculated on an average cost basis.

1987 1988
(US dollars)

One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)

Travel and subsistence	-	2 500 *
 <u>General temporary assistance</u>		
Six work-months at P-3 level	35 500	-----
Total	51 100	2 500
	-----	-----

37. The relevant costs to be financed under section 23 (Human rights) are estimated at \$51,100 for 1987 and \$2,500 for 1988.

38. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,000, to be financed under section 29 B (Conference Services Division, Geneva).

Resolution 1987/23. The right to development

A. Requests contained in the resolution or decision

39. In paragraph 6 of resolution 1987/23, the Commission on Human Rights decided to convene the Working Group of Governmental Experts on the Right to Development for two weeks in January 1988.

B. Relationship of requests to proposed programme of work

40. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 4, "Standard setting, research and studies", the objectives of and strategy for which are described in paragraphs 6.38 and 6.40 of the medium-term plan for the period 1984-1989 (A/37/6).

41. The following programme element of section 23 (Human rights) of the proposed programme budget for 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 4.1 - Standard setting

Output: (iv) Substantive servicing of the Working Group of the Commission on Human Rights on the Right to Development.

* Travel expenses calculated on an average cost basis.

C. Activities by which the requests would be implemented

42. In order to determine the financial implications of the resolution, it has been noted that the travel expenses of the governmental experts will be covered by their respective Governments.

D. Modifications required in the programme of work

43. No modifications are required in the programme of work proposed for 1988-1989 since the activity appears under programme element 4.1.

E. Additional requirements at full cost

44. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$93,300 for 1988.

Resolution 1987/29. Torture and other cruel, inhuman or degrading treatment or punishment

A. Requests contained in the resolution or decision

45. In paragraph 7 of resolution 1987/29, the Commission on Human Rights decided to continue the mandate of the Special Rapporteur for another year, in order to enable him to submit further conclusions and recommendations to the Commission at its forty-fourth session.

B. Relationship of requests to proposed programme of work

46. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

47. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

48. It is envisaged that in order to carry out his mandate the Special Rapporteur will travel to Geneva in May/June 1987 for a period of five working days to hold consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. The Special Rapporteur

will travel to Geneva for a period of five working days in October 1987 in order to prepare his report, and in December 1987 in order to finalize it. In February/March 1988 he will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake one field mission during 1987.

49. Six work-months of temporary assistance at the P-3 level will be required to assist the Special Rapporteur in the preparation of his report.

D. Modifications required in the programme of work

50. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

51. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	1 300	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report, October 1987 (5 working days)</u>		
Travel and subsistence	1 300	-
<u>One field mission of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 5 working days)</u>		
Travel costs of the Special Rapporteur	2 500 *	-
Travel costs of substantive staff	4 600 *	-
General operating expenses: local transport, communications and rental of office space	1 000	-

* Travel expenses calculated on an average cost basis.

1987 1988
(US dollars)

One round trip to Geneva of the Special Rapporteur to finalize his report, December 1987 (5 working days)

Travel and subsistence	1 300	-
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One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)

Travel and subsistence	-	1 300
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General temporary assistance

Six work-months at P-3 level	35 500	-
Total	47 500	1 300

52. The relevant costs to be financed under section 23 (Human rights) are estimated at \$47,500 for 1987 and \$1,300 for 1988.

53. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,000, to be financed under section 29 B (Conference Services Division, Geneva).

Resolution 1987/48. Question of a convention on the rights of the child

A. Requests contained in the draft resolution or decision

54. By operative paragraph 1 of draft resolution I recommended to the Economic and Social Council for adoption under Commission on Human Rights resolution 1987/48, the Council would authorize a meeting of an open-ended working group for a period of one week prior to the forty-fourth session of the Commission with a view to completing the work on the draft convention on the rights of the child at that session.

B. Relationship of requests to proposed programme of work

55. The activities referred to above would fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 4, "Standard-setting, research and studies", the objectives of and the strategy for which are described in paragraphs 6.38 and 6.40 of the medium-term plan for the period 1984-1989 (A/37/6).

56. The following programme element of section 23 (Human rights) of the proposed programme budget for 1988-1989 would be directly affected by the activities referred to in the draft resolution:

Programme element 4.1 - Standard-setting

Output: (ii) Substantive servicing of the pre-sessional Working Group of the Commission on Human Rights engaged in drafting a convention on the rights of the child.

C. Activities by which the requests would be implemented

57. In order to determine the financial implications of the draft resolution it has been noted that the travel expenses of the members concerned would be covered under the normal provision for the attendance of members of the Commission.

D. Modifications required in the programme of work

58. No modifications are required in the proposed programme of work for 1988-1989 since the activity appears under programme element 4.1.

E. Additional requirements at full cost

59. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$73,700 for 1988.

Resolution 1987/51. Situation of human rights in El Salvador

A. Requests contained in the resolution or decision

60. By paragraphs 13 and 14 of resolution 1987/51, the Commission on Human Rights decided to extend the mandate of the Special Representative for another year and requested the Special Representative to submit his report on further developments in the situation of human rights in El Salvador to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session.

B. Relationship of requests to proposed programme of work

61. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

62. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

63. The Special Representative envisages that in May/June 1987 he will undertake a trip to Geneva for a period of five working days to hold consultations at the Centre for Human Rights and organize and plan his work in relation to his mandate. In July/August 1987 the Special Representative, accompanied by two staff members from the Centre for Human Rights, will carry out a mission to El Salvador for a period of 15 working days to collect information on the spot. In September 1987, the Special Representative will travel to Geneva for a period of five working days in order to prepare his report and in November he will return to Geneva for a period of five working days in order to finalize it. Subsequently, in November/December 1987 the Special Representative will travel to New York for a period of five working days to present his report to the General Assembly at its forty-second session. In February/March 1988, the Special Representative will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session.

64. One substantive officer at the P-3 level will be required on a temporary assistance basis for a period of four months to assist in the preparation of the information collected and in the preparation of the final report.

D. Modifications required in the programme of work

65. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

66. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the</u> <u>Special Representative for consultations</u> <u>at the Centre for Human Rights, May/June 1987</u> <u>(5 working days)</u>		
Travel and subsistence	1 300	-
<u>Field mission to El Salvador of the</u> <u>Special Representative, July/</u> <u>August 1987 (15 working days)</u>		
Travel and subsistence of the Special Representative	6 100	-
Travel and subsistence of two staff members from the Centre for Human Rights	8 600	-
General operating expenses: local transportation, communications and rental of office facilities	1 000	-

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Representative to prepare his report, September 1987 (5 working days)</u>		
Travel and subsistence	1 300	-
<u>One round trip to Geneva of the Special Representative to finalize his report, November 1987 (5 working days)</u>		
Travel and subsistence	1 300	-
<u>One round trip to New York of the Special Representative to present his report to the General Assembly at its forty-second session, November/December 1987 (5 working days)</u>		
Travel and subsistence	3 400	-
<u>One round trip to Geneva of the Special Representative to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)</u>		
Travel and subsistence	-	1 300
<u>General temporary assistance</u>		
Four work-months at the P-3 level	23 700	-
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	46 700	1 300
	-----	-----
Total		

67. The relevant costs to be financed under section 23 (Human rights) are estimated at \$46,700 for 1987 and \$1,300 for 1988.

68. Should a second field mission to El Salvador become necessary, additional resources will be sought.

Resolution 1987/52. 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

A. Requests contained in the resolution or decision

69. By operative paragraph 1 of draft resolution II recommended to the Economic and Social Council for adoption under Commission on Human Rights resolution 1987/52, the Council would authorize an open-ended working group,

with a view to continuing the elaboration 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, to meet for a period of one week prior to the forty-fourth session of the Commission on Human Rights.

B. Relationship of requests to proposed programme of work

70. The activities referred to above would fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 4, "Standard-setting, research and studies", the objectives of and the strategy for which are described in paragraphs 6.38 and 6.40 of the medium-term plan for the period 1984-1989 (A/37/6).

71. The following programme element of section 23 (Human rights) of the proposed programme budget for 1988-1989 would be directly affected by the activities referred to in the draft resolution:

Programme element 4.1 - Standard-setting

Output: (v) Substantive servicing of the pre-sessional working group of the Commission on Human Rights to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

C. Activities by which the requests would be implemented

72. In order to determine the financial implications of the draft resolution, it has been noted that the travel expenses of the members concerned would be covered under the normal provision for the attendance of members of the Commission;

D. Modifications required in the programme of work

73. No modifications are required in the proposed programme of work for 1988-1989 since the activity appears under programme element 4.1.

E. Additional requirements at full cost

74. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$73,700 for 1988.

Resolution 1987/53. Situation of human rights in Guatemala

A. Requests contained in the resolution or decision

75. In paragraph 11 of resolution 1987/53, the Commission on Human Rights requested the Secretary-General to appoint an expert with a view to assisting the Government of Guatemala through direct contacts in taking the necessary action for the further restoration of human rights, and requested the expert to report on his direct contacts with the Government of Guatemala and to formulate recommendations for the further restoration of human rights.

B. Relationship of requests to proposed programme of work

76. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

77. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

78. It is envisaged that the expert will undertake in May/June 1987 a trip to Geneva for a period of five working days for the purpose of holding consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. In July/August 1987 the expert, accompanied by two staff members from the Centre for Human Rights, will carry out a field mission to Guatemala for a period of 10 working days to collect information on the spot. In September 1987, the expert will travel to Geneva for a period of five working days in order to finalize his report. In February/March 1988, the expert will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session.

D. Modifications required in the programme of work

79. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

80. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the expert for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	2 500*	-
<u>One field mission to Guatemala of the expert in July/August 1987 (10 working days)</u>		
Travel and subsistence of expert	2 500*	-
Travel and subsistence of two staff members from the Centre for Human Rights	4 600*	-
<u>One round trip to Geneva of the expert to finalize his report, September 1987 (5 working days)</u>		
Travel and subsistence	2 500*	-
<u>One round trip to Geneva of the expert to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)</u>		
Travel and subsistence	-	2 500*
Total	12 100	2 500

81. The relevant costs to be financed under section 23 (Human rights) are estimated at \$12,100 for 1987 and \$2,500 for 1988.

82. The services of a Spanish/English interpreter would be required during the field mission. The costs for salary, travel and subsistence are estimated at \$4,000 for the field mission, to be financed under section 29 B (Conference Services Division, Geneva).

* Travel expenses calculated on an average cost basis.

Resolution 1987/55. Human rights situation in the
Islamic Republic of Iran

A. Requests contained in the resolution or decision

83. By paragraphs 5 and 6 of resolution 1987/55, the Commission on Human Rights decided to extend the mandate of the Special Representative, as contained in Commission resolution 1985/54, for a further year. The Commission requested the Special Representative to present an interim report to the General Assembly at its forty-second session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, and new elements contained in his report, for example the allegations of violations affecting the medical profession, and a final report to the Commission at its forty-fourth session.

B. Relationship of requests to proposed programme of work

84. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and the strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

85. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

86. The Special Representative envisages that in May/June 1987 he will undertake a trip to Geneva for a period of five working days to hold consultations at the Centre for Human Rights and organize and plan his work in relation to his mandate. In July/August 1987 the Special Representative, accompanied by two staff members from the Centre for Human Rights, will carry out a mission to the Islamic Republic of Iran for 10 working days to collect information on the spot. In September 1987, the Special Representative will travel to Geneva for a period of five working days in order to prepare his report to the General Assembly. In November/December 1987 the Special Representative will travel to New York for a period of five working days to present his interim report to the General Assembly at its forty-second session. Subsequently, he will return to Geneva for a period of five working days in order to prepare his report to the Commission on Human Rights. In February/March 1988, the Special Representative will travel to Geneva for a period of five working days to present his report to the Commission at its forty-fourth session.

87. One substantive officer at the P-3 level will be required on a temporary assistance basis for a period of four months to assist in the preparation of the information collected and in the preparation of the final report.

D. Modifications required in the programme of work

88. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

89. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Representative for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	4 000	-
<u>Field mission to the Islamic Republic of Iran, July/August 1987 (10 working days)</u>		
Travel and subsistence of the Special Representative	6 800	-
Travel and subsistence of two substantive officers	9 000	-
General operating expenses: local transport, communication and rental of office space	1 000	-
<u>One round trip to Geneva of the Special Representative to prepare his report to the General Assembly, September 1987 (5 working days)</u>		
Travel and subsistence	4 000	-
<u>One round trip to New York of the Special Representative to present his report to the General Assembly at its forty-second session, November/December 1987 (5 working days)</u>		
Travel and subsistence	2 000	-

1987 1988
(US dollars)

One round trip to Geneva of the Special Representative to prepare his report to the Commission on Human Rights, December 1987 (5 working days)

Travel and subsistence	4 000	-
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One round trip to Geneva of the Special Representative to present his report to the Commission at its forty-fourth session, February/March 1988 (5 working days)

Travel and subsistence	-	4 000
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General temporary assistance

Four work-months at P-3 level	23 700	-
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Total	54 500	4 000
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90. The relevant costs to be financed under section 23 (Human rights) are estimated at \$54,500 for 1987 and \$4,000 for 1988.

91. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,000, to be financed under section 29 B (Conference Services Division, Geneva)

Resolution 1987/57. Summary or arbitrary executions

A. Requests contained in the resolution or decision

92. By operative paragraph 4 of draft resolution III recommended to the Economic and Social Council for adoption under Commission on Human Rights resolution 1987/57, the Council would decide to renew the mandate of the Special Rapporteur, Mr. S. Amos Wako, for another year, in order to enable him to submit further conclusions and recommendations to the Commission.

B. Relationship of requests to proposed programme of work

93. The activities referred to above would fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

94. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 would be directly affected by the activities referred to in the draft resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of material, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

95. In order to carry out his mandate, the Special Rapporteur envisages that in May/June 1987 he will travel to Geneva for a period of five working days to hold consultations at the Centre for Human Rights and organize and plan his work in relation to his mandate. The Special Rapporteur will travel to Geneva in October 1987 for a period of five working days in order to prepare his report and in December 1987 for a further period of five working days in order to finalize it. In February/March 1988, he will travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fourth session. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake three missions during 1987.

96. Six work-months of temporary assistance at the P-3 level would be required to assist the Special Rapporteur in the preparation of his report.

D. Modifications required in the programme of work

97. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

98. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	4 000	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report, October 1987 (5 working days)</u>		
Travel and subsistence	4 000	-

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>Three separate field missions of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 5 working days for each visit)</u>		
Travel costs of the Special Rapporteur 3 x \$2,500	7 500*	-
Travel costs of substantive staff 3 x \$2,300 x 2	13 800*	-
General operating expenses: local transport, communications and rental of office space	3 000	-
<u>One round trip to Geneva of the Special Rapporteur to finalize his report, December 1987 (5 working days)</u>		
Travel and subsistence	4 000	-
<u>One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)</u>		
Travel and subsistence	-	4 000
<u>General temporary assistance</u>		
Six work-months at P-3 level	<u>35 500</u>	<u>-</u>
Total	<u>71 800</u>	<u>4 000</u>

99. The relevant costs to be financed under section 23 (Human rights) are estimated at \$71,800 for 1987 and \$4,000 for 1988.

100. Should the services of an interpreter be required during the field missions, salary, travel and subsistence costs are estimated at \$4,000 for each visit, to be financed under section 29 B (Conference Services Division, Geneva).

* Travel expenses calculated on an average cost basis.

Resolution 1987/58. Question of human rights and fundamental freedoms in Afghanistan

A. Requests contained in the resolution or decision

101. In paragraph 11 of resolution 1987/58, the Commission on Human Rights decided to extend the mandate of the Special Rapporteur for a year and to request him to report on the situation of human rights and fundamental freedoms in Afghanistan to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session.

B. Relationship of requests to proposed programme of work

102. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

103. The following programme element of section 23 (Human rights) of the programme budget for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

104. It is envisaged that the Special Rapporteur will undertake a trip to Geneva in May/June 1987 for a period of five working days to hold consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. Also in 1987, the Special Rapporteur, accompanied by two substantive officers, will carry out a field mission for a period of 10 working days to collect information on the spot. Later in 1987, he will travel to Geneva for a period of five working days to prepare his report for the General Assembly at its forty-second session. In November/December he will travel to New York to present his report to the General Assembly. Subsequently, he will travel to Geneva for another period of five working days in order to prepare his report for the Commission on Human Rights, and in February/March 1988, he will travel to Geneva for a further period of five working days to present his report to the Commission at its forty-fourth session.

105. Additional staffing resources to assist the Special Rapporteur with the preparation of his report will be required for a period of four months in 1987.

D. Modifications required in the programme of work

106. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

107. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	1 400	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report to the General Assembly, October 1987 (5 working days)</u>		
Travel and subsistence	1 400	-
<u>One field mission of the Special Rapporteur accompanied by two staff members from the Centre Human Rights (calculated on a notional basis for a period of 10 working days)</u>		
Travel costs of the Special Rapporteur	3 900	-
Travel costs of substantive staff	5 600	-
General operating expenses: local transport, communications and rental of office space	1 000	-
<u>One round trip to New York of the Special Rapporteur to present his report to the General Assembly at its forty-second session, November/December 1987 (5 working days)</u>		
Travel and subsistence	4 500	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report to the Commission, December 1987 (5 working days)</u>		
Travel and subsistence	1 400	-

1987 1988
(US dollars)

One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)

Travel and subsistence	-	1 400
 <u>General temporary assistance</u>		
Four work-months at the P-3 level	23 700	
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Total	42 900	1 400
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108. The relevant costs to be financed under section 23 (Human rights) are estimated at \$42,900 for 1987 and \$1,400 for 1988.

109. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,000, to be financed under section 29 B (Conference Services Division, Geneva).

110. Should a second field mission become necessary, additional resources would be sought.

Resolution 1987/60. Question of human rights in Chile

A. Requests contained in the resolution or decision

111. In paragraph 12 of resolution 1987/60, the Commission on Human Rights decided to extend the mandate of the Special Rapporteur for one year and requested him to report on the situation of human rights in Chile to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session.

B. Relationship of requests to proposed programme of work

112. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and the strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

113. The following programme element of section 23 (Human rights) of the programme budgets for 1986-1987 and 1988-1989 is directly affected by the activities referred to in the draft resolution:

Programme element 1.3 - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output: (iv) Substantive servicing of exercises of a fact-finding or conciliatory nature decided upon by policy-making organs during the biennium, including gathering and analysis of materials, consultations, field missions and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

114. It is envisaged that the Special Rapporteur will undertake a trip to Geneva in May/June 1987 for a period of five working days to hold consultations at the Centre for Human Rights and to organize and plan his work in relation to his mandate. Also in 1987, the Special Rapporteur, accompanied by two substantive officers, will carry out a field mission for a period of 10 working days to collect information on the spot. Later in 1987, he will travel to Geneva for a period of five working days to prepare his report for the General Assembly at its forty-second session. Subsequently, he will travel to Geneva for another period of five working days in order to finalize his report. In February/March 1988, the Special Rapporteur will travel to Geneva for a further period of five working days to present his report to the Commission on Human Rights at its forty-fourth session.

115. Additional staffing resources to assist the Special Rapporteur with the preparation of his report would be required for a period of 12 work-months in 1987.

D. Modifications required in the programme of work

116. No modifications are required in the programme of work approved for 1986-1987 and proposed for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

117. The estimated cost of the above programme of work is itemized as follows:

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1987 (5 working days)</u>		
Travel and subsistence	4 400	-

	<u>1987</u>	<u>1988</u>
	(US dollars)	
<u>One field mission of the Special Rapporteur accompanied by two staff members from the Centre for Human Rights (calculated on a notional basis for a period of 10 working days)</u>		
Travel costs of the Special Rapporteur	6 200	-
Travel costs of substantive staff	8 600	-
General operating expenses: local transport, communications and rental of office space	1 000	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report, October 1987 (5 working days)</u>		
Travel and subsistence	4 400	-
<u>One round trip to New York of the Special Rapporteur to present his report to the General Assembly at its forty-second session (November/December 1987) (5 working days)</u>		
Travel and subsistence	2 100	-
<u>One round trip to Geneva of the Special Rapporteur to finalize his report, December 1987 (5 working days)</u>		
Travel and subsistence	4 400	-
<u>One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fourth session, February/March 1988 (5 working days)</u>		
Travel and subsistence	-	4 400
<u>General temporary assistance</u>		
Six work-months at the P-3 level	35 500	-
Six work-months at the GS level	22 900	-
	<hr/>	<hr/>
Total	89 500	4 400
	<hr/>	<hr/>

118. The relevant costs to be financed under section 23 (Human rights) are estimated at \$89,500 for 1987 and \$4,400 for 1988.

119. Should a second field mission become necessary, additional resources will be sought.

Decision 1987/103. 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

A. Requests contained in the resolution or decision

120. By decision 1987/103, the Commission on Human Rights decided, subject to the approval of the Economic and Social Council, to set up a working group composed of five of its members to meet for one week prior to its forty-fourth 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-ninth session under Economic and Social Council resolution 1503 (XLVIII) and those situations of which the Commission was seized.

B. Relationship of requests to proposed programme of work

121. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 1, "Implementation of international standards, instruments and procedures", the objectives of and strategy for which are described in paragraphs 6.20, 6.22 and 6.23 of the medium-term plan for the period 1984-1989 (A/37/6).

122. The following programme element of section 23 (Human rights) of the proposed programme budget for 1988-1989 is directly affected by the activities referred to in the decision:

Programme element 1.2 - Implementing procedures for dealing with alleged violations of human rights

Output: (vii) Substantive servicing of the Working Group of the Commission on Human Rights entrusted with examining the particular human rights situations referred to the Commission on Human Rights by the Sub-Commission on Prevention of Discrimination and Protection of Minorities under Economic and Social Council resolution 1503 (XLVIII).

C. Activities by which the requests would be implemented

123. In order to determine the financial implications of the decision, it has been noted that the travel expenses of the members concerned will be covered under the normal provision for the attendance of members of the Commission.

D. Modifications required in the programme of work

124. No modifications are required in the programme of work proposed for 1988-1989 since the activity appears under programme element 1.2.

E. Additional requirements at full cost

125. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$50,500 for 1988.

Decision 1987/109. Organization of the work of the Commission

A. Requests contained in the resolution or decision

126. By decision 1987/109, the Commission decided (a) to recommend to the Economic and Social Council that it authorize, if possible within existing financial resources, 20 fully-serviced additional meetings, including summary records, for the Commission's forty-fourth session and (b) to request the Chairman of the Commission at its forty-fourth session to make every effort to organize the work of the session within the normal allotted time, the additional meetings that the Economic and Social Council may authorize to be utilized only if such meetings prove to be absolutely necessary.

B. Relationship of requests to proposed programme of work

127. As a programme element in the programme of work proposed for 1988-1989 in the programme budget, the activities referred to above would fall under "Executive direction and management: substantive servicing of the policy-making organs of the programme, in particular the Commission on Human Rights, and their substantive organs."

C. Modifications required in the programme of work

128. No modifications are required in the programme of work proposed for 1988-1989 since this activity appears under "Executive direction and management".

D. Additional requirements at full cost

129. There would be no additional costs arising under section 23 (Human rights) from the substantive servicing of the additional meetings.

130. The related costs for 20 fully-serviced additional meetings, including summary records, during the 1988 session under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$293,400.

Annex IV

LIST OF DOCUMENTS ISSUED FOR THE FORTY-THIRD SESSION
OF THE COMMISSION

Documents issued in the general series

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/1	2	Provisional agenda: note by the Secretary-General
E/CN.4/1987/1/Add.1	2	Annotations to the provisional agenda prepared by the Secretary-General
E/CN.4/1987/2	12	Letter dated 14 July 1986 from the Permanent Representative of Nicaragua to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights
E/CN.4/1987/3	4	Note verbale dated 20 January 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a memorandum prepared by the Office of the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva
E/CN.4/1987/4/Rev.1	4	Report of the Secretary-General
E/CN.4/1987/5	4	Note verbale dated 20 January 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a memorandum prepared by the Office of the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva
E/CN.4/1987/6	4	Note by the Secretary-General
E/CN.4/1987/7	5	Report on the question of human rights in Chile submitted by Mr. Fernando Volio Jiménez (Costa Rica), Special Rapporteur, pursuant to the mandate conferred under Commission on Human Rights resolution 1986/63

Documents issued in the general series
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/8	6	Report of the <u>Ad Hoc</u> Working Group of Experts prepared in accordance with Commission on Human Rights resolutions 1985/7 and 1985/8 and Economic and Social Council decision 1985/140 [summary of E/CN.4/AC.22/1987/1]
E/CN.4/1987/9 and Add.1	8 (a)	Report of the Secretary-General
E/CN.4/1987/10	8 (a)	Report of the Working Group of Governmental Experts on the Right to Development
E/CN.4/1987/11	8 (c)	Report of the Secretary-General
E/CN.4/1987/12 and Add.1	9	Report of the Secretary-General
E/CN.4/1987/13	10 (a)	Report by the Special Rapporteur, Mr. P. Kooijmans, appointed pursuant to Commission on Human Rights resolution 1986/50
E/CN.4/1987/14	10 (b)	Report of the Secretary-General
E/CN.4/1987/15 and Corr.1 and Add.1	10 (c)	Report of the Working Group on Enforced or Involuntary Disappearances
E/CN.4/1987/16 and Add.1-3	11	Development of public information activities in the field of human rights: report of the Secretary-General
E/CN.4/1987/17	8 and 18	Note verbale dated 5 December 1986 from the Permanent Mission of the Netherlands to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a paper entitled "The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights"
E/CN.4/1987/18	11	Regional arrangements for the promotion and protection of human rights in the Asian-Pacific region: report of the Secretary-General
E/CN.4/1987/19	12 (a)	Report of the Secretary-General submitted pursuant to Commission on Human Rights decision 1986/103

Documents issued in the general series
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/20	12	Summary or arbitrary executions: report by the Special Rapporteur, Mr. S. Amos Wako, appointed pursuant to Economic and Social Council resolution 1986/36
E/CN.4/1987/21	12	Final report on the situation of human rights in El Salvador submitted to the Commission on Human Rights by Mr. José Antonio Pastor Ridruejo in fulfilment of the mandate conferred under Commission resolution 1986/39
E/CN.4/1987/22	12	Report on the situation of human rights in Afghanistan prepared by the Special Rapporteur, Mr. Felix Ermacora, in accordance with Commission on Human Rights resolution 1986/40
E/CN.4/1987/23	12	Report on the human rights situation in the Islamic Republic of Iran by the Special Representative of the Commission, Mr. Reynaldo Galindo Pohl, appointed pursuant to resolution 1986/41
E/CN.4/1987/24	12	Report of the Special Representative, Viscount Colville of Culross, on Guatemala, prepared in accordance with paragraph 8 of Commission resolution 1986/62
E/CN.4/1987/25	13	Report of the working group on a draft convention on the rights of the child
E/CN.4/1987/26	16	Note by the Secretary-General
E/CN.4/1987/26/ Add.1-15	16	Reports submitted by States parties under article VII of the International Convention on the Suppression and Punishment of the Crime of <u>Apartheid</u>
E/CN.4/1987/27 and Add.1 and 2	16	Views and information submitted by States parties in accordance with Commission resolution 1986/7: note by the Secretary-General
E/CN.4/1987/28	16	Report of the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of <u>Apartheid</u>

Documents issued in the general series
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/29	17 (b)	Report of the Secretary-General
E/CN.4/1987/30	17 (b)	Annual report on racial discrimination submitted by the International Labour Organisation in accordance with Economic and Social Council resolution 1588 (L) and General Assembly resolution 2785 (XXVI)
E/CN.4/1987/31	17 (b)	Annual report on racial discrimination submitted by the United Nations Educational, Scientific and Cultural Organization in accordance with Economic and Social Council resolution 1588 (L) and General Assembly resolution 2785 (XXVI)
E/CN.4/1987/32	20	Report of the open-ended working group set up by the Commission on Human Rights to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities
E/CN.4/1987/33 and Add.1, Add.1/Corr.1 and Add.2	21	Report of the Secretary-General
E/CN.4/1987/34 and Add.1 and 2	22	Addendum to the compendium of the national legislation and regulations of States on the question of freedom of religion or belief with particular regard to the measures taken to combat intolerance or discrimination in this field called for by Commission on Human Rights resolution 1986/19: report of the Secretary-General
E/CN.4/1987/35	22	Report submitted by Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur appointed in accordance with Commission on Human Rights resolution 1986/20
E/CN.4/1987/36	3 and 23	Note by the Secretary-General
E/CN.4/1987/37	11	National institutions for the promotion and protection of human rights: report of the Secretary-General

Documents issued in the general series
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/38	12	Report of the working group on 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
E/CN.4/1987/39	9 and 10	Note by the Secretariat
E/CN.4/1987/40 and Add.1	9	Note by the Secretariat
E/CN.4/1987/41	4	Note verbale dated 22 January 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a memorandum prepared by the Office of the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva
E/CN.4/1987/42	6	Letter dated 4 February 1987 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights
E/CN.4/1987/43	4	Letter dated 4 February 1987 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1987/44	11	Note by the Secretary-General
E/CN.4/1987/45	11	Note by the Secretary-General
E/CN.4/1987/46	4, 9 and 12	Note verbale dated 13 February 1987 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter dated 13 February 1987 from the Permanent Observer for the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

Documents issued in the general series
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/47	6	Letter dated 3 February 1987 from the Chairman of the <u>Ad Hoc</u> Working Group of Experts on southern Africa addressed to the Assistant Secretary-General for Human Rights
E/CN.4/1987/48	12	Note verbale dated 18 February 1987 from the Permanent Representative of Afghanistan to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1987/49	12	Note verbale dated 18 February 1987 from the Permanent Representative of Afghanistan to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1987/50	17 (b)	Note by the Secretary-General
E/CN.4/1987/51	10	Note verbale dated 23 February 1987 from the Permanent Mission of Guatemala to the United Nations Office at Geneva addressed to the Chairman of the Working Group on Enforced or Involuntary Disappearances
E/CN.4/1987/52	12	Letter dated 23 February 1987 from the Permanent Representative of El Salvador to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1987/53	12	Letter dated 3 March 1987 from the Permanent Representative of Lebanon to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights
E/CN.4/1987/54	12	Note verbale dated 16 February 1987 from the Permanent Mission of Honduras to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights
E/CN.4/1987/55	5	Letter dated 3 March 1987 from the Permanent Representative of Chile to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights, transmitting the observations of the Government of Chile on the report of the Special Rapporteur to the Commission on Human Rights at its forty-third session

Documents issued in the general series
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/56	12	Note verbale dated 6 March 1987 from the Permanent Mission of Afghanistan to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter dated 4 March 1987 from the Minister for Foreign Affairs of Afghanistan addressed to the Chairman of the Commission on Human Rights
E/CN.4/1987/57	12	Note verbale dated 11 March 1987 from the Permanent Mission of Afghanistan to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting a letter from former leaders of armed opposition groups addressed to the Commission on Human Rights
E/CN.4/1987/58	12	Letter dated 11 March 1987 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter dated 11 March 1987 from the Representative of the Turkish Cypriot Community to the United Nations addressed to the Chairman of the Commission on Human Rights
E/CN.4/1987/59	4	Letter dated 12 March 1987 from the Permanent Representative of the Syrian Arab Republic to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights, transmitting a letter dated 10 March 1987 from the Syrian Minister for Foreign Affairs to the Chairman of the Commission on Human Rights
E/CN.4/1987/SR.1-59 <u>a/</u> and E/CN.4/1987/ SR.1-59/Corrigendum		Summary records of the meetings of the forty-third session of the Commission and corrigendum thereto

a/ The summary records of the 37th, 39th and 41st (closed) meetings and of the closed part of the 42nd meeting were issued in restricted distribution.

Documents issued in the limited series b/

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.1	23	Note by the Secretary-General
E/CN.4/1987/L.2	9	Algeria: draft resolution
E/CN.4/1987/L.2/Rev.1	9	Afghanistan, Algeria, Angola, Argentina, Bolivia, Burundi, Congo, Cuba, Cyprus, Democratic Yemen, Ethiopia, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Madagascar, Mexico, Mozambique, Nicaragua, Rwanda, Senegal, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Yugoslavia and Zimbabwe: revised draft resolution
E/CN.4/1987/L.3	4	Afghanistan, Algeria, Bahrain, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Cyprus, Czechoslovakia, German Democratic Republic, India, Jordan, Lebanon, Nicaragua, Pakistan, Qatar, Saudi Arabia, Senegal, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam and Yugoslavia: draft resolution
E/CN.4/1987/L.4	4	Afghanistan, Algeria, Bahrain, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Gambia, German Democratic Republic, India, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Morocco, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen and Yugoslavia: draft resolution

b/ The sponsors listed here include those who became sponsors of the draft resolution or amendment subsequent to the issue of the document.

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.5	9	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Gambia, German Democratic Republic, India, Iraq, Libyan Arab Jamahiriya, Morocco, Nicaragua, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Syrian Arab Republic, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam, Yemen and Yugoslavia: draft resolution
E/CN.4/1987/L.6	9	Bahrain, Bangladesh, Colombia, Costa Rica, Egypt, Gambia, Guatemala, Honduras, Jordan, Malaysia, Morocco, Nepal, Oman, Pakistan, Paraguay, Philippines, Saudi Arabia, Senegal, Singapore, Somalia, Thailand, Tunisia and Turkey: draft resolution
E/CN.4/1987/L.7	16	Afghanistan, Algeria, Angola, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Congo, Ethiopia, Ghana, German Democratic Republic, Iraq, Kenya, Libyan Arab Jamahiriya, Madagascar, Mozambique, Nicaragua, Nigeria, Qatar, Rwanda, Senegal, Sri Lanka, Somalia, Syrian Arab Republic, Togo, Ukrainian Soviet Socialist Republic and Viet Nam: draft resolution
E/CN.4/1987/L.8	9	Bangladesh, Belgium, Cameroon, Canada, Costa Rica, Gambia, Germany, Federal Republic of, Honduras, Italy, Japan, Liberia, Luxembourg, Malaysia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Philippines, Singapore, Somalia, Thailand, Togo, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1987/L.9	9	Afghanistan, Algeria, Bulgaria, Cuba, Ethiopia, German Democratic Republic, Mozambique, Nigeria, Ukrainian Soviet Socialist Republic and United Republic of Tanzania: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.9/Rev.1	9	Afghanistan, Algeria, Angola, Bulgaria, Congo, Cuba, Ethiopia, German Democratic Republic, Kenya, Libyan Arab Jamahiriya, Mozambique, Nicaragua, Nigeria, Syrian Arab Republic, Togo, Ukrainian Soviet Socialist Republic, United Republic of Tanzania and Viet Nam: revised draft resolution
E/CN.4/1987/L.9/Rev.2	9	[Same sponsors]: revised draft resolution
E/CN.4/1987/L.10 and 1-19	24	Draft report of the Commission on Human Rights on its forty-third session
E/CN.4/1987/L.11 and 1-13	24	Draft report of the Commission on Human Rights on its forty-third session
E/CN.4/1987/L.12	9	Afghanistan, Algeria, Angola, Bulgaria, Cameroon, Congo, Cuba, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, Gambia, Ghana, German Democratic Republic, India, Kenya, Libyan Arab Jamahiriya, Mozambique, Nicaragua, Nigeria, Rwanda, Senegal, Somalia, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Yugoslavia and Zimbabwe: draft resolution
E/CN.4/1987/L.13	6	United States of America: draft resolution
E/CN.4/1987/L.14	7	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Ethiopia, Gambia, German Democratic Republic, India, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mongolia, Mozambique, Nigeria, Pakistan, Somalia, Sudan, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania and Viet Nam: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.14/Rev.1	7	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Ethiopia, Gambia, German Democratic Republic, India, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mongolia, Mozambique, Nicaragua, Nigeria, Pakistan, Qatar, Somalia, Sudan, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania and Viet Nam: revised draft resolution
E/CN.4/1987/L.15	7	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Ethiopia, Gambia, German Democratic Republic, India, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mongolia, Mozambique, Nigeria, Pakistan, Qatar, Somalia, Sudan, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania and Viet Nam: draft resolution
E/CN.4/1987/L.16	6	Afghanistan, Algeria, Angola, Burundi, Congo, Cuba, Democratic Yemen, Ethiopia, Gambia, German Democratic Republic, India, Kenya, Libyan Arab Jamahiriya, Madagascar, Mozambique, Nigeria, Qatar, Rwanda, Senegal, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, United Republic of Tanzania, Viet Nam, Yugoslavia and Zimbabwe: draft resolution
E/CN.4/1987/L.17	6	Algeria, Angola, China, Congo, Ethiopia, Gabon, India, Kenya, Libyan Arab Jamahiriya, Mozambique, Nigeria, Pakistan, Rwanda, Senegal, Somalia, Syrian Arab Republic, Togo and Zimbabwe: draft resolution
E/CN.4/1987/L.17/Rev.1	6	Algeria, Angola, China, Congo, Cuba, Ethiopia, Gabon, Gambia, India, Iraq, Kenya, Libyan Arab Jamahiriya, Mozambique, Nicaragua, Nigeria, Pakistan, Rwanda, Senegal, Somalia, Syrian Arab Republic, Togo, United Republic of Tanzania and Zimbabwe: revised draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.18	17 (b)	Afghanistan, Algeria, Angola, Burundi, Cameroon, Congo, Côte d'Ivoire, Cuba, Kenya, Libyan Arab Jamahiriya, Madagascar, Mozambique, Nicaragua, Nigeria, Rwanda, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo and United Republic of Tanzania: draft resolution
E/CN.4/1987/L.19	18	Australia, Bulgaria, Byelorussian Soviet Socialist Republic, Costa Rica, Netherlands, New Zealand, Nicaragua and Philippines: draft resolution
E/CN.4/1987/L.20	9	Administrative and programme budget implications of draft resolution E/CN.4/1987/L.9: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council
E/CN.4/1987/L.21	6	Administrative and programme budget implications of draft resolution E/CN.4/1987/L.17: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council
E/CN.4/1987/L.22	18	Byelorussian Soviet Socialist Republic and Poland: draft resolution
E/CN.4/1987/L.23	9	United States of America: amendments to draft resolution E/CN.4/1987/L.9
E/CN.4/1987/L.24	8	United States of America: draft resolution
E/CN.4/1987/L.25	8	German Democratic Republic: draft resolution
E/CN.4/1987/L.26	21	Costa Rica and Peru: draft resolution
E/CN.4/1987/L.27	8	Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, India, Nicaragua and Syrian Arab Republic: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.28	6	Algeria, Angola, Congo, Ethiopia, Gabon, Gambia, India, Iraq, Kenya, Libyan Arab Jamahiriya, Madagascar, Mozambique, Nigeria, Rwanda, Senegal, Somalia, Syrian Arab Republic, Togo and Zimbabwe: amendments to draft resolution E/CN.4/1987/L.13
E/CN.4/1987/L.29	12	United States of America: draft resolution
E/CN.4/1987/L.29/Rev.1	12	United States of America: revised draft resolution
E/CN.4/1987/L.30	18	Argentina and Germany, Federal Republic of: draft decision
E/CN.4/1987/L.31	12	Cuba, Madagascar, Nicaragua and Syrian Arab Republic: draft resolution
E/CN.4/1987/L.32	22	Argentina, Austria, Belgium, Byelorussian Soviet Socialist Republic, Canada, Colombia, Costa Rica, Finland, France, Gambia, Germany, Federal Republic of, Hungary, Ireland, Italy, Netherlands, Nicaragua, Norway, Peru, Philippines, Poland, Portugal, Senegal, Union of Soviet Socialist Republics and United States of America: draft resolution
E/CN.4/1987/L.33	12	Australia, Austria, Canada, Ireland and Norway: draft resolution
(E/CN.4/1987/L.33/Rev.1 (E/CN.4/1987/L.36/Rev.1	12	Argentina, Australia, Austria, Bolivia, Brazil, Canada, Colombia, Costa Rica, Honduras, Ireland, Mexico, Netherlands, Norway, Paraguay, Peru, Spain, Uruguay and Venezuela: revised draft resolution
E/CN.4/1987/L.34	8	Australia, Austria, Belgium, Bulgaria, Costa Rica, Cyprus, Egypt, Finland, Gambia, German Democratic Republic, India, Kenya, Netherlands, Norway, Peru, Philippines, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.35	18	Argentina, Australia, Austria, Byelorussian Soviet Socialist Republic, Canada, Costa Rica, Cyprus, Denmark, Finland, German Democratic Republic, Italy, Netherlands, Nicaragua, Norway, Peru, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1987/L.36	12	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Honduras, Mexico, Paraguay, Peru, Uruguay and Venezuela: draft resolution
E/CN.4/1987/L.36/Rev.1	12	[See under E/CN.4/1987/L.33/Rev.1]
E/CN.4/1987/L.37	8 (c)	Algeria, Bangladesh, China, Colombia, Costa Rica, Cuba, Cyprus, Ethiopia, German Democratic Republic, India, Jordan, Nicaragua, Peru, Philippines, Poland, Syrian Arab Republic and Yugoslavia: draft resolution
E/CN.4/1987/L.38	22	Administrative and programme budget implications of draft resolution E/CN.4/1987/L.32: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council
E/CN.4/1987/L.39	12	Administrative and programme budget implications of draft resolution E/CN.4/1987/L.33: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council
E/CN.4/1987/L.40	8 (a)	Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Madagascar, Mongolia, Nicaragua, Panama, Poland, Sri Lanka, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Viet Nam: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.41	12	Democratic Yemen, Iraq, Libyan Arab Jamahiriya, Tunisia and Yemen: draft resolution
E/CN.4/1987/L.41/Rev.1	12	Democratic Yemen, Egypt, Iraq, Libyan Arab Jamahiriya, Madagascar and Tunisia: revised draft resolution
E/CN.4/1987/L.42	10 (c)	Argentina, Austria, Belgium, Canada, Costa Rica, France, Gambia, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Netherlands, Norway, Peru, Philippines, Portugal, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1987/L.43	10	Argentina, Costa Rica, France, Germany, Federal Republic of, Honduras, Italy, Japan, Philippines, Togo, Union of Soviet Socialist Republics and United States of America: draft resolution
E/CN.4/1987/L.44	10 (a)	Argentina, Australia, Austria, Belgium, Brazil, Costa Rica, Finland, France, Greece, Ireland, Italy, Netherlands, Nicaragua, Norway, Peru, Philippines, Portugal, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1987/L.45	10 (b)	Argentina, Australia, Austria, Belgium, Brazil, Byelorussian Soviet Socialist Republic, Canada, Costa Rica, Denmark, Finland, France, Gambia, Germany, Federal Republic of, Greece, Italy, Mexico, Netherlands, Nicaragua, Norway, Portugal, Senegal, Spain, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and Venezuela: draft resolution
E/CN.4/1987/L.46	10 (a)	Argentina, Australia, Austria, Belgium, Brazil, Canada, Costa Rica, Denmark, Finland, France, Germany, Federal Republic of, Japan, Kenya, Netherlands, Nicaragua, Norway, Senegal, Spain, Sweden and United States of America: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.47	10 (a)	Administrative and programme budget implications of draft resolution E/CN.4/1987/L.44: statement submitted by the Secretary-General in accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council
E/CN.4/1987/L.48	10	Australia, Belgium, Bulgaria, Canada, Costa Rica, Gambia, India, Japan, Netherlands, Peru, Portugal, Spain, Sri Lanka and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1987/L.49	12 (a)	Algeria, Congo, Cuba, Cyprus, Democratic Yemen, Egypt, India, Madagascar, Mozambique, Nicaragua, Sri Lanka, Yugoslavia and Zimbabwe: draft resolution
E/CN.4/1987/L.50	8 (a)	Angola, Argentina, Bangladesh, Bolivia, Brazil, Bulgaria, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Egypt, Ethiopia, Gambia, German Democratic Republic, Guatemala, India, Iraq, Mexico, Mozambique, Nicaragua, Peru, Philippines, Rwanda, Sri Lanka, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela and Yugoslavia: draft resolution
E/CN.4/1987/L.51	3	United Kingdom of Great Britain and Northern Ireland: draft decision
E/CN.4/1987/L.52	20	Yugoslavia: draft resolution
E/CN.4/1987/L.53	15	Afghanistan, Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, China, Congo, Czechoslovakia, Egypt, German Democratic Republic, India, Libyan Arab Jamahiriya, Mexico, Mozambique, Nicaragua, Peru, Romania, Syrian Arab Republic and United Republic of Tanzania: draft resolution
E/CN.4/1987/L.54	12	Argentina, Brazil, Colombia, Costa Rica, Greece, Mexico, Norway, Peru, Spain, Venezuela and Yugoslavia: draft resolution

Documents issued in the limited series b/
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1987/L.54/Rev.1	12	Argentina, Brazil, Colombia, Costa Rica, Greece, Italy, Mexico, Netherlands, Norway, Peru, Spain, Venezuela and Yugoslavia: revised draft resolution
E/CN.4/1987/L.55	21	Austria, Belgium, Bolivia, Canada, Colombia, Cyprus, Finland, France, Germany, Federal Republic of, Italy, Norway, Peru and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1987/L.56	21	Austria, Canada, Germany, Federal Republic of, Norway, Peru, Senegal and United Kingdom of Great Britain and Northern Ireland: draft resolution
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