

# COMMISSION ON HUMAN RIGHTS

## REPORT ON THE FORTY-FOURTH SESSION

(1 February-11 March 1988)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 1988

SUPPLEMENT No. 2



UNITED NATIONS

New York, 1988

**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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**E/1988/12  
E/CN.4/1988/88**

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CONTENTS

<u>Chapter</u>	<u>Page</u>
I. Draft resolutions and decisions recommended for adoption by the Economic and Social Council .....	1
A. <u>Draft resolutions</u>	
I. Measures to combat racism and racial discrimination and the role of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	1
II. The right to food .....	1
III. Report of the Working Group on Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	2
IV. Study of the problem of discrimination against indigenous populations .....	4
V. Draft declaration of principles on the rights of indigenous populations .....	4
VI. Proposal to proclaim an international year of the world's indigenous populations .....	5
VII. Summary of arbitrary executions .....	5
VIII. 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 .....	8
IX. Question of a convention on the rights of the child .....	8
B. <u>Draft decisions</u>	
1. The use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination .....	10
2. Situation of human rights in Albania .....	10

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
I. B. Draft decisions (continued)	
3. General decision concerning the establishment of a working group of the Commission on Human Rights to examine situations referred to the Commission under Economic and Social Council resolution 1503 (XLVIII) and those situations of which the Commission is seized .....	10
4. The right to development .....	11
5. Extension of the mandates of special rapporteurs on thematic issues in the field of human rights .....	11
6. Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur .....	11
7. Question of enforced or involuntary disappearances ...	12
8. Assistance to Guatemala in the field of human rights .	12
9. Assistance to Haiti in the field of human rights .....	12
10. Situation in Equatorial Guinea .....	13
11. Study on the significance of treaties, agreements and other constructive arrangements for the promotion and protection of the human rights and fundamental freedoms of indigenous populations .....	13
12. Situation of human rights in El Salvador .....	13
13. Question of human rights and fundamental freedoms in Afghanistan .....	13
14. Human rights situation in the Islamic Republic of Iran .....	14
15. Prevention of the disappearance of children .....	14
16. Appointment of a delegation in accordance with Commission on Human Rights decision 1988/106 .....	14
17. Question of human rights in Chile .....	15
18. Organization of the work of the forty-fifth session of the Commission on Human Rights .....	15

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. Resolutions and decisions adopted by the Commission at its forty-fourth session .....	16
A. <u>Resolutions</u>	
1988/1. Question of the violation of human rights in the occupied Arab territories, including Palestine	
Resolution A .....	16
Resolution B .....	19
1988/2. Human rights in occupied Syrian territory .....	21
1988/3. Situation in occupied Palestine .....	25
1988/4. Situation in Afghanistan .....	27
1988/5. Question of Western Sahara .....	30
1988/6. Situation in Kampuchea .....	32
1988/7. The use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination .....	35
1988/8. Situation in southern Africa .....	38
1988/9. Situation of human rights in South Africa .....	42
1988/10. Situation of human rights in Namibia .....	47
1988/11. Detention, torture and other inhuman treatment of children in South Africa and Namibia .....	52
1988/12. 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; report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	54

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. A. <u>Resolutions (continued)</u>	
1988/13. 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 .....	55
1988/14. Implementation of the International Convention on the Suppression and Punishment of the Crime of <u>Apartheid</u> .....	60
1988/15. Measures to combat racism and racial discrimination and the role of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	63
1988/16. Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination .....	63
1988/17. Situation of human rights in Albania .....	66
1988/18. 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 .....	67
1988/19. The impact of property on the enjoyment of human rights and fundamental freedoms .....	68
1988/20. Recovery of nations' assets illegally removed by violators of human rights .....	69
1988/21. Popular participation in its various forms as an important factor in development and in the full realization of all human rights .....	70
1988/22. Realization of economic, social and cultural rights .....	71

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. A. <u>Resolutions (continued)</u>	
1988/23. 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 .....	73
1988/24. Realization of the right to adequate housing ....	77
1988/25. Promotion and protection of human rights and fundamental freedoms as an essential condition for the achievement of social justice for all ...	78
1988/26. The right to development .....	79
1988/27. Status of the International Covenants on Human Rights .....	80
1988/28. Status of the Convention on the Prevention and Punishment of the Crime of Genocide .....	83
1988/29. The right to food .....	84
1988/30. Extension of the mandates of special rapporteurs on thematic issues in the field of human rights .	85
1988/31. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and of the International Covenants on Human Rights .....	85
1988/32. Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur .....	86
1988/33. Human rights in the administration of justice ...	88
1988/34. Question of enforced or involuntary disappearances .....	90

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. A. <u>Resolutions (continued)</u>	
1988/35. United Nations Voluntary Fund for Victims of Torture .....	92
1988/36. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment .....	94
1988/37. Right to freedom of expression and opinion .....	96
1988/38. Hostage-taking .....	97
1988/39. Political prisoners .....	98
1988/40. The independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers .....	99
1988/41. Staff members of the United Nations and specialized agencies in detention .....	101
1988/42. Report of the Working Group on Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	102
1988/43. Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	103
1988/44. Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	107
1988/45. Administrative detention without charge or trial .....	109
1988/46. The right of everyone to leave any country, including his own, and to return to his country .	110
1988/47. Prosecution and punishment of all war criminals and persons who have committed crimes against humanity .....	112



CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. A. <u>Resolutions (continued)</u>	
1988/48. Study of the problem of discrimination against indigenous populations .....	113
1988/49. Draft declaration of principles on the rights of indigenous populations .....	113
1988/50. Assistance to Guatemala in the field of human rights .....	114
1988/51. Assistance to Haiti in the field of human rights .....	115
1988/52. Situation in Equatorial Guinea .....	117
1988/53. Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights .....	118
1988/54. Advisory services in the field of human rights ..	120
1988/55. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief .....	122
1988/56. Study on the significance of treaties, agreements and other constructive arrangements for the promotion and protection of the human rights and fundamental freedoms of indigenous populations .....	126
1988/57. Traditional practices affecting the health of women and children .....	127
1988/58. Proposal to proclaim an international year of the world's indigneous populations .....	127
1988/59. Use of scientific and technological developments for the promotion and protection of human rights and fundamental freedoms .....	128
1988/60. Human rights and scientific and technological developments .....	129

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. A. <u>Resolutions (continued)</u>	
1988/61. Human rights and scientific and technological developments .....	132
1988/62. Draft body of guidelines, principles and guarantees of the rights of persons detained on grounds of mental ill-health or suffering from mental disorder .....	133
1988/63. 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 .....	135
1988/64. Rights of persons belonging to national, ethnic, religious and linguistic minorities .....	137
1988/65. Situation of human rights in El Salvador .....	138
1988/66. Situation of human rights in southern Lebanon ...	141
1988/67. Question of human rights and fundamental freedoms in Afghanistan .....	142
1988/68. Summary of arbitrary executions .....	145
1988/69. Human rights situation in the Islamic Republic of Iran .....	146
1988/70. Human rights and mass exoduses .....	148
1988/71. 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 .....	150
1988/72. National institutions for the promotion and protection of human rights .....	151

CONTENTS (continued)

<u>Chapter</u>	<u>Page</u>
II. A. <u>Resolutions (continued)</u>	
1988/73. Regional arrangements for the promotion and protection of human rights in the Asian-Pacific region .....	153
1988/74. Development of public information activities in the field of human rights .....	155
1988/75. Question of a convention on the rights of the child .....	158
1988/76. Prevention of the disappearance of children .....	160
1988/77. Measures to improve the situation and ensure the human rights and dignity of all migrant workers .	160
1988/78. Question of human rights in Chile .....	161
II. B. <u>Decisions</u>	
1988/101. Organization of work .....	166
1988/102. Violations of human rights in southern Africa: report of the <u>Ad hoc</u> Working Group of Experts ...	167
1988/103. 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 .....	167
1988/104. Elaboration of a second optional protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty .....	168
1988/105. Question of human rights in Cyprus .....	168
1988/106. ....	168
1988/107. Organization of the work of the forty-fifth session .....	168

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
III. Organization of the forty-fourth session .....	1 - 34	170
A. Opening and duration of the session .....	1 - 2	170
B. Attendance .....	3	170
C. Election of officers .....	4	170
D. Agenda .....	5	170
E. Organization of work .....	6 - 15	170
F. Meetings, resolutions and documentation .....	16 - 19	172
G. Other matters .....	20 - 34	172
IV. Question of the violation of human rights in the occupied Arab territories, including Palestine .....	35 - 63	174
V. Question of human rights in Chile .....	64 - 77	181
VI. Violations of human rights in southern Africa: report of the <u>Ad hoc</u> Working Group of Experts .....	78 - 101	187
VII. 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 .....	102 - 119	191
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 .....	120 - 170	194

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
IX. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation .....	171 - 213	201
X. Question of the human rights of all persons subjected to any form of detention or imprisonment ..	214 - 286	210
A. Torture and other cruel, inhuman or degrading treatment or punishment .....	246 - 260	215
B. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment .....	261 - 275	217
C. Question of enforced or involuntary disappearances .....	276 - 286	218
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; national institutions for the promotion and protection of human rights .....	287 - 305	221
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 .....	306 - 394	224
A. Question of human rights in Cyprus .....	379 - 385	243
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 .....	386 - 394	244
XIII. Question of a convention on the rights of the child .	395 - 407	246
XIV. Measures to improve the situation and ensure the human rights and dignity of all migrant workers .....	408 - 413	248

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
XV. Human rights and scientific and technological developments .....	414 - 434	249
XVI. Implementation of the International Convention on the Suppression and Punishment of the Crime of <u>Apartheid</u> .....	435 - 445	252
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 <u>apartheid</u> , racism and racial discrimination; implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination .....	446 - 459	255
XVIII. Status of the International Covenants on Human Rights .....	460 - 477	257
XIX. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session .....	478 - 535	259
XX. Rights of persons belonging to national, ethnic, religious and linguistic minorities .....	536 - 542	265
XXI. 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 .....	543 - 553	266
XXII. Advisory services in the field of human rights .....	554 - 580	268
XXIII. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief .....	581 - 594	271
XXIV. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities .....	595 - 599	274

CONTENTS (continued)

<u>Chapter</u>	<u>Paragraphs</u>	<u>Page</u>
XXV. Draft provisional agenda for the forty-fifth session of the Commission .....	600 - 609	277
XXVI. Adoption of the report .....	610	285
Notes .....		285
<u>Annexes</u>		
I. Attendance .....		286
II. Agenda .....		295
III. Administrative and programme budget implications of resolutions and decisions adopted by the Commission at its forty-fourth session .....		298
IV. List of documents issued for the forty-fourth session of the Commission .....		346

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

A. Draft resolutions

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

The Economic and Social Council,

Mindful of its resolution 1984/24 of 24 May 1984, by which it authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Asbjørn Eide with carrying out a study on the achievements of, and obstacles encountered during, the first Decade for Action to Combat Racism and Racial Discrimination,

Having considered Sub-Commission resolution 1987/6 of 31 August 1987 and Commission on Human Rights resolution 1988/15 of 29 February 1988,

1. Authorizes Mr. Eide to proceed with the collection of the information he needs to complete the study, as specified in his progress report (E/CN.4/Sub.2/1987/6);

2. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteur in his efforts to collect the information he needs.

[See chap. II, sect. A, resolution 1988/15,  
and chap. XVII.]

II. The right to food

The Economic and Social Council,

Recalling its decision 1983/140 of 27 May 1983, in which it authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Asbjørn Eide with the preparation of a study on the right to adequate food as a human right and recommended that he give special attention to the normative content of the right to food and its significance in relation to the establishment of the new international economic order,

Noting with satisfaction that a comprehensive final study on this subject was presented by the Special Rapporteur, Mr. Asbjørn Eide, to the Sub-Commission at its thirty-ninth session (E/CN.4/Sub.2/1987/23),

Recalling Sub-Commission resolution 1987/27 of 3 September 1987 and Commission on Human Rights resolution 1988/29 of 7 March 1988,



1. Decides that the study should be published by the United Nations and given the widest possible circulation;

2. Decides to take steps to ensure better co-ordination between specialized agencies, other organs dealing with food-related matters, and the human rights bodies of the United Nations, if possible through inter-agency co-ordination;

3. Draws the attention of the Committee on Economic, Social and Cultural Rights to the study prepared by Mr. Eide and invites it to submit its observations thereon to the Economic and Social Council at an appropriate time.

(See chap. II, sect. A, resolution 1988/29,  
and chap. VIII.)

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

The Economic and Social Council,

Noting Commission on Human Rights resolution 1988/42 of 8 March 1988,

Recalling its resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others,

Recalling further General Assembly resolutions 38/107 of 16 December 1983 and 40/103 of 13 December 1985 on the prevention of prostitution,

Desiring to give further follow-up to the excellent report of its Special Rapporteur, Mr. J. Fernand-Laurent, on the suppression of the traffic in persons and the exploitation of the prostitution of others (E/1983/7 and Corr.1 and 2),

Commending the Sub-Commission on Prevention of Discrimination and Protection of Minorities and in particular its Working Group on Slavery for their work on contemporary forms of slavery,

Aware of the complexity of the issue of suppression of the traffic in persons and the exploitation of the prostitution of others and of the need for further co-ordination and co-operation to implement the recommendations made by the Special Rapporteur and by various United Nations bodies,

1. Invites all Member States to draw up a special programme for the prevention of child prostitution, the repression of its exploitation and the social rehabilitation of its victims;

2. Recommends to the United Nations Children's Fund that technical and financial support be allocated to Member States which are developing countries for the setting up of experimental preventive programmes in the field of child prostitution and for the social rehabilitation of its victims;

3. Encourages the United Nations Educational, Scientific and Cultural Organization to carry out the study on the legal and effective protection of minors from pornography which was recommended by the international meeting of experts that took place in Madrid from 18 to 21 March 1986;

4. Invites Member States which belong to the International Criminal Police Organization to request that organization to make the fight against the international traffic in children one of its priorities;

5. Decides to apply the requests and recommendations of this resolution, where appropriate, to young women and recommends that the Secretary-General and Member States do likewise;

6. Requests the Secretary-General to urge the following bodies to be represented at the sessions of the Working Group on Slavery: Commission on the Status of Women, Centre for Social Development and Humanitarian Affairs, United Nations Children's Fund, United Nations Development Programme, United Nations University, International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, World Health Organization, World Bank, International Monetary Fund, and International Criminal Police Organization;

7. Requests the Secretary-General to prepare a survey of the recommendations made by the Working Group on Slavery since its inception;

8. Endorses the recommendation by the Commission on Human Rights in its resolution 1988/42 that the Sub-Commission on Prevention of Discrimination and Protection of Minorities consider appointing a special rapporteur to review the implementation of the recommendations made and the appropriate measures taken by United Nations organs and executing agencies, international organizations and Member States and to submit recommendations with a view to enhancing further progress in the prevention and suppression of slavery-like practices, the traffic in persons and the exploitation of the prostitution of others as well as other contemporary forms of slavery;

9. Decides to consider the question of the suppression of the traffic in persons and of the exploitation of the prostitution of others at its next regular session in the light of the recommendations made in its resolution 1983/30 and General Assembly resolutions 38/107 and 40/103 under the agenda item "Human rights".

[See chap. II, sect. A, resolution 1988/42,  
and chap. XIX.]

IV. Study of the problem of discrimination  
against indigenous populations

The Economic and Social Council,

Noting Commission on Human Rights resolution 1988/48 of 8 March 1988,

Recalling the final report of Mr. J.R. Martínez Cobo, Special Rapporteur on the problem of discrimination against indigenous populations, in which he recommended the organization of international seminars within the programme of advisory services,

Recalling also the recommendations of the Second World Conference to Combat Racism and Racial Discrimination, in particular those relating to the protection of indigenous rights and to the use of education and the mass media to combat racial discrimination,

1. Requests the Secretary-General to ensure that the recognition and promotion of the rights of indigenous peoples are included in future United Nations activities under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination and to invite representatives of indigenous nations, peoples and communities, including non-governmental organizations, to participate in the planning and implementation of these activities;

2. Requests the Secretary-General to organize in 1988, within the programme of advisory services in the field of human rights, a seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States;

3. Encourages all States to ensure that educational and informational activities, including national celebrations, reflect an accurate interpretation of history and do not perpetuate or justify theories of racial superiority or the subjugation of indigenous or other peoples.

[See chap. II, sect. A, resolution 1988/48,  
and chap. XIX.]

V. Draft declaration of principles on the  
rights of indigenous populations

The Economic and Social Council

1. Requests the Chairman-Rapporteur of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mrs. Erica-Irene Daes, to prepare a working paper containing a set of principles and preambular paragraphs for insertion in a draft declaration, for consideration at the Working Group's sixth session, in 1988;

2. Requests the Secretary-General to give all necessary assistance to Mrs. Daes in the completion of this task.

[See chap. II, sect. A, resolution 1988/49,  
and chap. XIX.]

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

The Economic and Social Council,

Recalling its resolution 1982/34 of 7 May 1982, authorizing the establishment annually of 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,

Recalling also its resolution 1986/34 of 23 May 1986,

Noting that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, by its resolution 1987/16 of 2 September 1987, endorsed the recommendation that the Working Group on Indigenous Populations should make every effort to complete a draft declaration on indigenous rights as soon as possible,

Conscious of the continuing struggle of indigenous populations throughout the world to enjoy their inalienable human rights and fundamental freedoms,

Recommends that the General Assembly should, when appropriate, proclaim an international year of the world's indigenous populations.

[See chap. II, sect. A, resolution 1988/58,  
and chap. XIX.]

VII. Summary of 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, 41/144 of 4 December 1986 and 42/141 of 7 December 1987,

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,

Welcoming furthermore the close co-operation established 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 with regard to the elaboration of principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal 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.4/1988/22 and Add.1 and 2) of Mr. S. Amos Wako, Special Rapporteur, and welcomes his recommendations with a view to eliminating summary or arbitrary executions;

4. Decides to renew the mandate of the Special Rapporteur for two years, while keeping the annual reporting cycle, in order to enable him to submit further conclusions and recommendations to the Commission at its forty-fifth and forty-sixth sessions;

5. Requests the Special Rapporteur in carrying out his mandate to continue to examine situations of summary or arbitrary executions;

6. Also 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. Encourages Governments, international organizations and non-governmental organizations to organize training programmes and support projects with a view to training or educating law enforcement officers in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

8. Invites Governments, international organizations and non-governmental organizations to support the efforts made in United Nations forums towards the adoption of an international instrument which would incorporate international standards for proper investigation of all cases of death in suspicious circumstances, including provisions for adequate autopsy;

9. Endorses the elements proposed by the Special Rapporteur for inclusion in such international standards;

10. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;

11. Requests the Secretary-General to consider ways to publicize, particularly within the framework of the information activities of the Centre for Human Rights, the work of the Special Rapporteur as well as his recommendations;

12. Urges all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

13. 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;

14. Requests the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-fifth 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 1988/68,  
and chap. XII.]

VIII. 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 1988/71 of 10 March 1988,

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

2. Requests the Secretary-General to extend all facilities to the working group for its meeting prior to and during the forty-fifth session of the Commission, and to transmit the report of the working group that met prior to and during the forty-fourth 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 1988/71,  
and chap. XII.]

IX. Question of a convention on the rights of the child

The Economic and Social Council,

Recalling General Assembly resolution 42/101 of 7 December 1987, by which the General Assembly requested the Commission on Human Rights to give the highest priority to, and to make every effort at its forty-fourth and forty-fifth sessions to complete, a draft convention on the rights of the child and to submit it, through the Economic and Social Council, to the General Assembly at its forty-fourth session in 1989,

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

Taking note of Commission on Human Rights resolution 1988/75 of  
10 March 1988,

1. Authorizes, within existing resources, a meeting of the open-ended working group for a period of up to two weeks in November-December 1988, with a view to completing the second reading of the draft convention on the rights of the child prior to the forty-fifth session of the Commission on Human Rights for transmission, through the Economic and Social Council, to the General Assembly at its forty-fourth session;

2. Requests the Secretary-General to continue to provide to the working group all the support and facilities necessary for the successful completion of its tasks and, in particular, to circulate the report of the working group (E/CN.4/1988/28) and the draft convention as adopted during its first reading to all States, and to provide the resources necessary for the technical review requested by the working group and for the working group's session in November-December 1988.

[See chap. II, sect. A, resolution 1988/75,  
and chap. XIII.]



## B. Draft decisions

### 1. 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 1988/7 of 22 February 1988, approves the Commission's decision to continue for another year the mandate of the Special Rapporteur to examine the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination in order to enable him to submit further conclusions and recommendations to the Commission, and further approves the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur, including the necessary financial resources and sufficient staff.

[See chap. II, sect. A, resolution 1988/7, and chap. IX. See also draft decision 5, below.]

### 2. Situation of human rights in Albania

The Economic and Social Council, noting Commission on Human Rights resolution 1988/17 of 2 March 1988, decides that the confidential material concerning Albania that has been before the Commission on Human Rights under Council resolution 1503 (XLVIII) of 27 May 1970 shall no longer be restricted, as recommended by the Commission.

[See chap. II, sect. A, resolution 1988/17, and chap. XII.]

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

The Economic and Social Council approves the decision of the Commission on Human Rights, in decision 1988/103 of 2 March 1988, 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-fifth 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 fortieth 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 1988/103, and chap. XII.]

#### 4. The right to development

The Economic and Social Council, noting Commission on Human Rights resolution 1988/26 of 7 March 1988, decides to transmit to the General Assembly at its forty-third session the report of the Working Group of Governmental Experts on the Right to Development (E/CN.4/1988/10) and approves the Commission's decision to convene the Working Group on an open-ended basis during the last week of January 1989 and its request to the Secretary-General to provide all necessary assistance to the Working Group.

[See chap. II, sect. A, resolution 1988/26,  
and chap. VIII.]

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

The Economic and Social Council, noting Commission on Human Rights resolution 1988/30 of 8 March 1988, decides that the mandates of the special rapporteurs on thematic issues shall be for a period of two years and that they shall continue to report annually; this decision applies to the mandates of the Special Rapporteur on mercenaries, the Special Rapporteur on the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the Special Rapporteur on the question of torture, the Special Rapporteur on summary and arbitrary executions, and 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.

[See chap. II, sect. A, resolution 1988/30,  
and chap. XI.]

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

The Economic and Social Council, noting Commission on Human Rights resolution 1988/32 of 8 March 1988, approves the decision of the Commission to continue for two years the mandate of the Special Rapporteur appointed to examine questions relevant to torture. 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 1988/32,  
and chap. X.]

7. Question of enforced or involuntary disappearances

The Economic and Social Council, noting Commission on Human Rights resolution 1988/34 of 8 March 1988, approves the decision of the Commission to extend for two years the mandate of the Working Group on Enforced or Involuntary Disappearances. The Council further approves the Commission's request to 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, especially in carrying out missions or holding sessions in countries which would be prepared to receive them.

[See chap. II, sect. A, resolution 1988/34,  
and chap. X.]

8. Assistance to Guatemala in the field of human rights

The Economic and Social Council, noting Commission on Human Rights resolution 1988/50 of 8 March 1988, approves the decision of the Commission to renew for a year the mandate of the Expert appointed to assist the Government of Guatemala, through direct contacts, in taking the necessary action for the further restoration of human rights. The Council further approves the Commission's request to 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, in accordance with the recommendations contained in the Expert's report in the framework of the proposals contained in the report of the Secretary-General on the question.

[See chap. II, sect. A, resolution 1988/50,  
and chap. XXII.]

9. Assistance to Haiti in the field of human rights

The Economic and Social Council, noting Commission on Human Rights resolution 1988/51 of 8 March 1988, approves the decision of the Commission to extend by one year the mandate of the Expert appointed by the Secretary-General 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 Council further approves the Commission's request to the Secretary-General to provide all necessary assistance to the Expert.

[See chap. II, sect. A, resolution 1988/51,  
and chap. XXII.]

#### 10. Situation in Equatorial Guinea

The Economic and Social Council, noting Commission on Human Rights resolution 1988/52 of 8 March 1988, approves the decision of the Commission to consider the report of the Expert appointed pursuant to Commission on Human Rights resolution 33 (XXXVI) of 11 March 1980 on the manner in which the Government of Equatorial Guinea intends fully to implement the plan of action proposed by the United Nations and on the progress achieved.

[See chap. II, sect. A, resolution 1988/52,  
and chap. XXII.]

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

The Economic and Social Council, noting Commission on Human Rights resolution 1988/56 of 9 March 1988, decides to authorize the appointment of Mr. Miquel Alfonso Martínez as Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities with the mandate of preparing an outline on the possible purposes, scope and sources of a study to be conducted on the potential utility of treaties, agreements and other constructive arrangements between indigenous populations and Governments for the purpose of ensuring the promotion and protection of the human rights and fundamental freedoms of indigenous populations.

[See chap. II, sect. A, resolution 1988/56,  
and chap. XIX.]

#### 12. Situation of human rights in El Salvador

The Economic and Social Council, noting Commission on Human Rights resolution 1988/56 of 10 March 1988, approves the decision of the Commission 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 1988/65,  
and chap. XII.]

#### 13. Question of human rights and fundamental freedoms in Afghanistan

The Economic and Social Council, noting Commission on Human Rights resolution 1988/67 of 10 March 1988, 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 1988/67,  
and chap. XII.]

14. Human rights situation in the Islamic Republic of Iran

The Economic and Social Council, noting Commission on Human Rights resolution 1988/69 of 10 March 1988, approves the decision of the Commission 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 of 14 March 1984, 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 1988/69,  
and chap. XII.]

15. Prevention of the disappearance of children

The Economic and Social Council, noting Commission on Human Rights resolution 1988/76 of 10 March 1988 on prevention of the disappearance of children, endorses the Commission's decision to approve the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to its Chairman to appoint one or several members to establish urgently and maintain contact with the competent authorities and institutions, including humanitarian organizations, which would report to him on the situation and ensure that there are no further risks of disappearance, and authorizes the Secretary-General to provide all the assistance necessary for its implementation.

[See chap. II, sect. A, resolution 1988/76,  
and chap. XIII.]

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

The Economic and Social Council, endorsing Commission on Human Rights decision 1988/106 of 10 March 1988, approves the Commission's decision that the Chairman and five of its members, appointed following regional consultations, should accept the invitation of the Government of Cuba to visit that country in order to observe the human rights situation there, and to prepare a report to be submitted for consideration by the Commission.

[See chap. II, sect. B, decision 1988/106,  
and chap. XII.]

17. Question of human rights in Chile

The Economic and Social Council, noting Commission on Human Rights resolution 1988/78 of 10 March 1988, approves the decision of the Commission to extend for one year the mandate of the Special Rapporteur on the question 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 1988/78,  
and chap. V.]

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

The Economic and Social Council, noting Commission on Human Rights decision 1988/107 of 10 March 1988, decides to authorize, if possible within existing financial resources, 20 fully-serviced additional meetings, including summary records, for the Commission's forty-fifth session. The Council takes note of the Commission's decision to request its Chairman at the forty-fifth session to make every effort to organize the work of the session within the normal allotted time, the additional meetings to be utilized only if they prove to be absolutely necessary.

[See chap. II, sect. B, decision 1988/107,  
and chap. III.]

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

A. Resolutions

1988/1. 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 all other relevant General Assembly resolutions adopted at regular and special sessions in respect of Israeli violations of the human rights of the population of occupied Arab territories,

Recalling, in particular, relevant Security Council resolutions, including resolutions 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988,

Taking note of the report of the Secretary-General on the fact-finding mission of his envoy, Mr. Marrack Goulding, to occupied Palestine (S/19443), and of relevant reports and resolutions of the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization as well as all reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

Recalling the press release issued by the International Committee of the Red Cross in Geneva on 13 January 1988 on the expulsion of Palestinian citizens from their homeland,

Recalling its previous resolutions on Israeli violations of human rights in occupied Palestine,

Reaffirming its grave alarm at Israel's continued pursuance of the "iron fist" policy in the occupied Palestinian territories, and Israel's crimes of murder, injury, arrest and deportation against Palestinians, its policy of starvation of the camps and its acts involving the breaking of children's and young people's arms,

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. Reaffirms that Israel's continuous grave violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and of the Additional Protocols of 1977 to the Geneva Conventions of 1949 are war crimes and an affront to humanity;

3. Strongly condemns Israel's policy of physical violence in occupied Palestine, breaking the bones of children, women and men and causing women to miscarry as a result of severe beating;

4. Strongly condemns Israel's pursuance of the "iron fist" policy and its continued and systematic violation of the human rights of the Palestinian people, including opening fire on children, women and civilian men as well as killing, wounding, arresting and torturing thousands of Palestinians, and the attempts to kidnap Palestinian children by force and transfer them to unknown places, as happened in Dheisheh camp and Khawlah school in Al Bireh on 1 and 3 February 1988;

5. Firmly rejects and reiterates its condemnation of Israel's decision to annex Jerusalem and to change the architectural character, demographic composition, institutional structure or status of the occupied territories, including Jerusalem, and considers all these measures and their consequences null and void, and further condemns the confiscation of land and property, the demolition of houses and efforts by Israel to subject the West Bank and the Gaza Strip to Israeli laws;

6. Condemns once again the establishment of Israeli settlements and the arming of settlers to kill Palestinians under the supervision of the occupation authorities in occupied Palestine;



7. Condemns once again aggression against Islamic and Christian religious holy places, including the repeated attacks on Al Aqsa Mosque with the aim of seizing and destroying it, the obstruction of religious freedoms and practices and the act of opening fire on worshippers, wounding dozens of them in Al Aqsa Mosque, for example, on 15 January 1988;

8. Condemns once again the evacuation, deportation, expulsion, displacement and transfer of the Palestinian population and the denial of their right to return to their homeland and the transfer and settlement of alien populations brought from other parts of the world in the place of the original Palestinian owners of the land;

9. Condemns once again mass arrests, collective punishment, administrative detention and the torture of detainees;

10. Condemns once again the pillaging of archaeological and cultural property and systematic Israeli repression of cultural and educational institutions, especially universities, schools and institutes, and the expropriation of the natural wealth, water and other resources which belong to the Palestinian citizens in the occupied territories;

11. Calls upon the Israeli authorities to implement forthwith Security Council resolutions 484 (1980) of 19 December 1980 and 608 (1988) of 14 January 1988 as well as previous resolutions of the Council calling for the immediate return of the elected mayors to their municipalities and the return to their homeland of all citizens deported by the occupation authorities;

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

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 on the extent of its implementation to the Commission on Human Rights at its forty-fifth 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 consider this subject at its forty-fifth session as a matter of high priority.

19th meeting

15 February 1988

[Adopted by a roll-call vote of 31 to 8, with  
4 abstentions. See chap. IV.]

B

The Commission on Human Rights,

Recalling Security Council resolutions 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 497 (1981) of 17 December 1981, 592 (1986) of 8 December 1986 and 605 (1987) of 22 December 1987, as well as all its previous resolutions on the application of the Geneva Conventions of 12 August 1949 to the Palestinian and other Arab territories occupied by Israel and the refusal of Israel to abide by those Conventions,

Recalling all relevant General Assembly resolutions,

Recalling the decisions of the International Conference of the Red Cross in respect of the application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Recalling the statement of the International Committee of the Red Cross of 13 January 1988 in which it reiterated its protest against the continued violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Recalling its previous resolutions on this question,

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 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 once again 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. Once more strongly condemns Israel for its policies of ill-treatment and torture of Palestinian detainees and prisoners in Israeli prisons;
4. Once more 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 and, 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 the violations of article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War which it has perpetrated by pursuing a policy of deportation and expulsion of Palestinian citizens, as occurred recently in the case of citizens Jibril Mahmoud Rajoub, Hussam Osman Mahmoud Khodr, Bashir Ahmed Khairy and Jamal Abdallah Jabbarah, 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-fifth session;

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

19th meeting  
15 February 1988

(Adopted by a roll-call vote of 31 to 1, with  
11 abstentions. See chap. IV.)

1988/2. Human rights in occupied Syrian territory

The Commission on Human Rights,

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

Gravely concerned at the fact that Syrian and other Arab territories occupied by Israel in 1967 are still suffering from Israeli military occupation, aggression and continued violation of human rights,

Recalling Israel's violation of Article 25 of the Charter of the United Nations and its refusal to accept and carry out relevant resolutions of the Security Council, in particular resolution 497 (1981) of 17 December 1981, in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Arab Golan was null and void and without international legal effect, and demanded that Israel should rescind forthwith its decision,

Recalling the resolution adopted by the Seventy-first 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 territory in Jerusalem and the Syrian Arab Golan,

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/42/650),

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 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 1987/1 of 19 February 1987,

Recalling World Health Assembly resolution WHA40.12 of 13 May 1987, by which the Assembly affirmed "the principle that acquisition of territories by force is inadmissible and that any occupation of territories by force and the practice of repression and violence against the civilian population as well as acts of deportation have serious repercussions on the health and psychosocial conditions of the people under occupation, including mental and physical health",

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 previous General Assembly resolutions, in particular resolutions 3414 (XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which it, inter alia, called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

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, 41/162 B of 4 December 1986 and 42/160 F of 8 December 1987, relating to the population of the Syrian territory that has been occupied since 1967,

Reaffirming once again 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, 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 their obligations and to make every effort to ensure respect for and compliance with the provisions of 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, the Charter of the United Nations and relevant 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 Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan, 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. Condemns Israel's persistence in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

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

6. 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 Arab Golan 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;

7. 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;

8. 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 Arab Golan in order to impose Israeli citizenship upon them and force them to carry Israeli identity cards, and condemns the Israeli repression of educational institutions in the occupied Syrian Arab Golan and the imposition of courses that promote hatred, prejudice and religious intolerance;

9. 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;

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. 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-fifth session;

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

19th meeting

15 February 1988

[Adopted by a roll-call vote of 31 to 1, with 11 abstentions. See chap. IV.]

### 1988/3. Situation in occupied Palestine

#### The Commission on Human Rights,

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948 as well as all other resolutions which confirmed and defined the inalienable rights of the Palestinian people, and notably their right to self-determination without foreign interference,

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

Reaffirming its previous resolutions in this regard,

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, the continuous air raids on Palestinian camps in Lebanon and the crimes currently being committed by Israel in killing, wounding, detaining, torturing and deporting Palestinians,

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. Reaffirms 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, and affirms that the uprising of the Palestinian people against the Israeli occupation since 8 December 1987 is a form of legitimate resistance, an expression of their rejection of occupation and a consolidation of their unity under the leadership of the Palestine Liberation Organization;

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, to be attended by the permanent members of the Security Council and the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, on an equal footing, in accordance with the provisions of General Assembly resolution 38/58 C of 13 December 1983 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;

8. 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;

9. 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;

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

11. 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 its forty-fifth session;

12. Decides to place on the provisional agenda of its forty-fifth 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.

29th meeting  
22 February 1988

[Adopted by a roll-call vote of 30 to 4, with  
8 abstentions. See chap. IX.]

#### 1988/4. 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, 1986/23 of 10 March 1986 and 1987/5 of 19 February 1987,

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, 41/33 of 5 November 1986 and 42/15 of 10 November 1987 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, 41/100 of 4 December 1986 and 42/94 of 7 December 1987, 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-fifth session with high priority under the agenda item "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

29th meeting  
22 February 1988

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

1988/5. 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 42/78 of 4 December 1987 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, 1986/21 of 10 March 1986 and 1987/3 of 19 February 1987,

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

Noting with satisfaction the continuation of the joint good offices process 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 Organization of African Unity resolution AHG/Res.104 (XIX) and General Assembly resolutions 40/50 of 2 December 1985 and 41/16 of 31 October 1986,

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. Takes note of the joint decision of the current Chairman of the Organization of African Unity and the Secretary-General of the United Nations to send a technical mission to Western Sahara in order to collect the relevant technical information to assist them in discharging the mandate entrusted to them by General Assembly resolutions 40/50, 41/16 and 42/78;

6. Welcomes also the invitation by the General Assembly to 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 continue 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 42/78, the terms of a cease-fire and the modalities for the said referendum;

7. 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, 41/16 and 42/78;

8. 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);

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

29th meeting  
22 February 1988

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

1988/6. 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, 1986/25 of 10 March 1986 and 1987/6 of 19 February 1987 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, 1986/146 of 23 May 1986 and 1987/155 of 29 May 1987,

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, 41/6 of 21 October 1986 and 42/3 of 14 October 1987, 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, 41/6 and 42/3, by which the Assembly reaffirmed the conviction that, to bring about a durable peace in South-East Asia, there was an urgent need for the international community to find a comprehensive political solution to the Kampuchean problem that would 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 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 42/3, in which the Assembly took note of the report of the Ad Hoc Committee of the International Conference on Kampuchea on its activities during 1986-1987 (A/CONF.109/12) and requested that the Committee continue its work, pending the reconvening of the Conference,

Deploring 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 recommendations 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 eight years, namely, resolutions 29 (XXXVI), 11 (XXXVII), 1982/13, 1983/5, 1984/12, 1985/12, 1986/25 and 1987/6;

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 260,000 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 on 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 41/6 (A/42/608);

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 1986-1987 and requests that the Committee continue its work and that the Conference be reconvened at an appropriate time, in accordance with General Assembly resolution 42/3;

9. Recommends that the Economic and Social Council at its first regular session of 1988 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-fifth session under the agenda item "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

29th meeting  
22 February 1988

[Adopted by a roll-call vote of 31 to 7, with  
3 abstentions. See chap. IX.]

1988/7. 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,

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, 41/102 of 4 December 1986 and 42/96 of 7 December 1987, 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 resolutions 1986/26 of 10 March 1986 and 1987/16 of 9 March 1987, in which it condemned the increased recruitment, financing, training, assembly, transit and use of mercenaries, as well as other forms of support to mercenaries and, in the latter resolution, 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,

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 African, Central American and other developing 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,

1. Condemns the increased recruitment, financing, training, assembly, transit and use of mercenaries, as well as all other forms of support to mercenaries for the purpose of destabilizing and overthrowing the Governments of Africa and Central America and of other developing States and fighting against the national liberation movements of peoples struggling for the exercise of their right to self-determination;

2. Considers it inadmissible to use channels of humanitarian and other assistance to finance, train and arm mercenaries;

3. Denounces any State that persists in the recruitment, or permits or tolerates the recruitment, of mercenaries and provides facilities to them for launching armed aggression against other States;

4. Calls upon all States to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure, by both administrative and legislative measures, that the territory of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries or the planning of such activities designed to destabilize or overthrow the Government of any State and to fight the national liberation movements struggling against racism, apartheid, colonial domination and foreign intervention and occupation for their independence, territorial integrity and national unity;

5. Urges all States to take the necessary measures under their respective domestic laws to prohibit the recruitment, financing, training and transit of mercenaries on their territory, as well as all other forms of support and assistance to mercenaries;

6. Takes note with appreciation of the report of the Special Rapporteur (E/CN.4/1988/14);

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 intergovernmental organizations, non-governmental organizations and national liberation movements recognized by regional intergovernmental organizations;

9. Requests the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur and to appeal again to all Governments to co-operate with and assist the Special Rapporteur in the performance of his duties and to furnish all information requested;

10. Requests the Special Rapporteur to develop further the position that mercenary acts and mercenarism in general are a means of violating human rights and thwarting the self-determination of peoples;

11. Also requests the Special Rapporteur, in carrying out his mandate, to strengthen his co-operation and co-ordination with the various bodies concerned with mercenarism within the United Nations system;

12. Further requests the Special Rapporteur, in carrying out his mandate, to study credible and reliable reports of mercenary activity in African and other developing countries to determine the scope and implications of such activities and the possible responsibility of third parties by means, inter alia, of on-site visits where appropriate;

13. Urges all Governments, particularly those which have suffered from acts of mercenarism, to facilitate the task of the Special Rapporteur and to invite him to conduct on-site visits where appropriate;

14. Requests the Special Rapporteur to submit to the Commission at its forty-fifth session a report on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination together with his conclusions and recommendations, as well as to submit a preliminary report to the General Assembly at its forty-third session, through the Economic and Social Council;

15. 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;

16. Decides to continue the consideration of 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-fifth session as a matter of high priority under the agenda item "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

29th meeting

22 February 1988

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

#### 1988/8. 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 Additional Protocol I of 1977 to the Geneva Conventions 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 Security Council resolution 602 (1987) of 25 November 1987, in which the Council demanded the unconditional withdrawal of South African forces occupying Angolan territory,

Recalling General Assembly resolution 42/71 of 4 December 1987,

Recalling also its resolution 1987/7 of 19 February 1987,

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,

Concerned about the abduction and assassination of opponents of apartheid in neighbouring countries, the arming of so-called "vigilante" groups and the arrest and torture of leaders and activists of mass organizations,

Deeply concerned about the continuing invasion and occupation of parts of Angola by South Africa and the acts of aggression and destabilization perpetrated by the Pretoria régime against front-line States,

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,

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,

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,

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 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 constitutional initiative, including the recently announced "statutory council", which falls short of accepting the "one man, one vote" principle in a united democratic 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. 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;

10. 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;

11. 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;

12. 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;

13. Condemns the wanton acts of aggression and destabilization perpetrated by the apartheid régime of South Africa against front-line and other neighbouring States, and in this regard demands that all States impose mandatory and comprehensive sanctions against South Africa, in order to stop it committing further acts of destabilization of neighbouring States;

14. 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;



15. Decides to include in the provisional agenda of its forty-fifth 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.

32nd meeting

23 February 1988

[Adopted by a roll-call vote of 33 to 3, with  
7 abstentions. See chap. IX.]

1988/9. Situation of human rights in South Africa

The Commission on Human Rights,

Recalling its resolutions 1986/4 of 28 February 1986 and 1987/14 of 3 March 1987,

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,

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,

Having examined the interim report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1988/8),

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,

Concerned about the recent spate of abductions and assassinations carried out by the South African Government against political refugees and members of the liberation movements in the neighbouring States,

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,

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,

Noting that the South African people's struggle in all its forms for a united, non-racial democratic society should enjoy the full support of the 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 of the so-called constitutional initiative, including the recently announced statutory council, which falls short of accepting the "one man, one vote" principle in a united South Africa;

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

6. 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;

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

8. 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 man, one vote" principle in a non-fragmented South Africa;

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

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

11. 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;

12. Further demands that South Africa desist from its campaign of abduction and assassination of political refugees and members of the liberation movements based in neighbouring States;

13. 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;

14. 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;

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

16. 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;

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. Calls upon the Security Council to impose mandatory sanctions against the South African régime, in discharge of its responsibility under Chapter VII of the Charter of the United Nations;

21. 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;

22. 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;

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 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, as well as infringements of trade-union rights in South Africa in accordance with Economic and Social Council resolution 1987/63 of 29 May 1987;

25. 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 deaths of detainees in South Africa;

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

27. 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 or 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;

28. 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;

29. 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;

30. Requests the Ad Hoc Working Group of Experts to submit its final report and its recommendations to the Commission at its forty-fifth session;

31. 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;

32. 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.

40th meeting  
29 February 1988

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

1988/10. Situation of human rights in Namibia

The Commission on Human Rights,

Recalling its resolution 1987/8 of 26 February 1987,

Recalling General Assembly resolutions 40/97 A to F of 13 December 1985, S-14/1 of 20 September 1986, 41/39 A to E of 20 November 1986 and 42/14 A to E of 6 November 1987 and Declaration AHG/Decl.2 (XXIII) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-third ordinary session, held at Addis Ababa from 27 to 29 July 1987 (A/42/699, annex II),

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,

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 and null and void,

Having examined the interim report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1988/8),

Noting that 1988 is the fortieth anniversary of the Universal Declaration of Human Rights, the twenty-second anniversary of the termination by the General Assembly of the mandate of South Africa over Namibia and the tenth

anniversary of the adoption by the Security Council of resolution 435 (1978) of 29 September 1978 and that nevertheless South Africa continues its illegal occupation of Namibia in defiance of the United Nations,

Deeply concerned at the explosive situation in Namibia, the militarization of the Territory and its use by South Africa as a base for aggression against Angola,

Reiterating that such continuing illegal and colonial occupation of Namibia by South Africa 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 also at the gross violations of human rights in Namibia,

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 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,

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 of 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 17 and 55 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. Reiterates 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;

4. 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;

5. Strongly condemns the 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, and 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;

6. 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;

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



8. Appeals to 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;

9. Condemns the use by South Africa of the international Territory of Namibia as a springboard for aggression against Angola and other front-line States;

10. Endorses the universal 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 that such "linkage", in addition to delaying the decolonization process in Namibia, constitutes interference in the internal affairs of Angola;

11. Strongly condemns the continued collaboration of certain States and international institutions with the racist régime of South Africa as well as 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;

12. Requests once again all Member States, particularly those States whose corporations are engaged in the exploitation of Namibian resources, to make 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;

13. 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;

14. Denounces the intention of the Government of South Africa to separate the Caprivi Strip and other parts of the Territory from the rest of Namibia;

15. Appeals to the Security Council, in view of the persistent refusal of the racist régime of South Africa to comply with the resolutions and decisions of the United Nations on the question of Namibia, 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 of the United Nations;

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

17. 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;

18. Affirms 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;

19. 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;

20. 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;

21. 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;

22. 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;

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

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

25. 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;

26. 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.

40th meeting

29 February 1988

[Adopted by a roll-call vote of 34 to none, with 9 abstentions. See chap. VI.]

1988/11. Detention, torture and other inhuman treatment of children in South Africa and Namibia

The Commission on Human Rights,

Recalling its resolution 1987/14 of 3 March 1987,

Recalling also General Assembly resolution 42/124 of 7 December 1987, adopted by consensus, in which the Assembly expressed its profound outrage at reports of the detention, torture and inhuman treatment of children in South Africa,

Recalling the relevant provisions of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Declaration of the Rights of the Child,

Having examined the interim report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1988/8),

Welcoming the convening of the International Conference on Children, Repression and the Law in Apartheid South Africa, held at Harare from 24 to 27 September 1987,

Appalled at the evidence that children in South Africa are subjected to detention, torture and inhuman treatment,

Gravely concerned about reports of the increasing number of repressive measures targeted on children in South Africa and Namibia,

Noting with indignation the impotence of the South African judiciary and the degradation of its professional ethics,

Reiterating its position that apartheid is repugnant, immoral and an affront to human dignity,

1. Vigorously condemns the detention, torture and inhuman treatment of children in South Africa;

2. Demands the immediate and unconditional release of all children held in detention in that country;
3. Demands also the immediate dismantlement of the so-called "rehabilitation camps" or "re-education centres", since they only serve the racist régime's strategy of physically and mentally abusing black South African children;
4. Requests all relevant United Nations bodies, specialized agencies and non-governmental organizations to launch a world-wide campaign aimed at drawing attention to, monitoring and exposing these inhuman practices;
5. Further demands the immediate total abolition of the apartheid system and its replacement with a non-racial representative government based on the principle of universal suffrage;
6. Appeals to the international community to adopt concrete and effective measures to bring pressure to bear against the Government of South Africa until it dismantles apartheid and abandons all inhuman practices associated with this policy;
7. Requests the Ad Hoc Working Group of Experts on southern Africa to pay special attention to the question of detention, torture and other inhuman treatment of children in South Africa and Namibia and report to the Commission on Human Rights at its forty-fifth session;
8. Requests the Secretary-General to provide every assistance to enable the Ad Hoc Working Group of Experts to discharge its responsibilities in accordance with the relevant provisions of the present resolution;
9. Further requests the Secretary-General to intervene with the Government of South Africa in order to bring to an end the detention, torture and other forms of inhuman treatment of children in South Africa and Namibia and to report on the outcome of his efforts to the Commission on Human Rights at its forty-fifth session;
10. Decides to discuss at its forty-fifth session, under the agenda item "Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts", the question of detention, torture and other inhuman treatment of children in South Africa and Namibia.

40th meeting  
29 February 1988

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

1988/12. 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: report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

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

Recalling its resolutions 1986/6 of 28 February 1986 and 1987/10 of 26 February 1987,

Noting resolutions 1985/3 of 27 August 1985 and 1987/5 and 1987/7 of 31 August 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. Expresses its satisfaction to the Special Rapporteur, Mr. Ahmed Khalifa, for the updated version of his report (E/CN.4/Sub.2/1987/8/Rev.1 and Add.1, parts I and II);

2. Also addresses its thanks to all Governments and all organizations which have provided information to the Special Rapporteur;

3. 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 he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report to the Commission on Human Rights, through the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(b) To use all available material from other United Nations organs, Member States, specialized agencies 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;

4. Calls upon 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;

5. Invites the Sub-Commission to consider the updated report at its fortieth session;

6. Requests the Secretary-General, in accordance with General Assembly resolution 41/95, to make available to the Special Rapporteur two economists to help him to develop his work of analysis and documentation of certain specific cases of particular importance;

7. 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;

8. 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;

9. Decides to consider the updated report at its forty-fifth 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".

40th meeting  
29 February 1988

[Adopted by a roll-call vote of 32 to 7, with  
4 abstentions. See chap. VII.]

1988/13. 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, 1986/5 of 28 February 1986 and 1987/9 of 26 February 1987,

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-third ordinary session, held at Addis Ababa from 27 to 29 July 1987 (A/42/699, annex II), and by the Council of Ministers of that organization at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987 (A/42/699, 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 and Add.1, parts I and II),

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 international peace and security,

Concerned that the persistence of certain banking and international financial institutions in scheduling 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 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-fifth 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".

40th meeting

29 February 1988

[Adopted by a roll-call vote of 32 to 7, with  
4 abstentions. See chap. VII.]

1988/14. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

The Commission on Human Rights,

Recalling General Assembly resolutions 41/103 of 4 December 1986 and 42/56 of 30 November 1987,

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, 1986/7 of 28 February 1986 and 1987/11 of 26 February 1987,

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.4/1988/32),

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,

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 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 1987/11;

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. Urges once again the 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;

5. Also urges 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 reports 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 all States whose transnational corporations continue to do business with South Africa and Namibia to take appropriate steps to terminate their dealings with South Africa and Namibia;

10. 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;

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 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-fifth session;

16. 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-fifth 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.

40th meeting  
29 February 1988

[Adopted by a roll-call vote of 32 to none, with 11 abstentions. See chap. XVI.]

1988/15. Measures to combat racism and racial discrimination and the role of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Having considered resolution 1987/6 of 31 August 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution I.].

40th meeting  
29 February 1988

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

1988/16. 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 1987/12 of 26 February 1987,

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 42/47 of 30 November 1987, by which the Assembly appealed 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,

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

Taking note of the report of the Secretary-General (E/CN.4/1988/33),

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. Invites all Governments and international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of these evils;

5. 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);

6. 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;

7. 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;

8. Takes note with satisfaction of resolution 42/47, in which the General Assembly requested the Economic and Social Council, throughout the Second Decade, to submit annual reports to the General Assembly on the activities undertaken or contemplated to achieve the objectives of the Second Decade;

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

10. Recalls its resolution 1987/12, in which it decided that the topic for such thematic consideration in 1989 would be "The political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid", and requests the Secretary-General to envisage the organization of a seminar on that topic;

11. Decides that the topic for 1990 will be "The human rights of individuals belonging to ethnic groups in countries of immigration";

12. Welcomes General Assembly resolution 42/47, in which the Assembly once again 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;

13. Encourages the Secretary-General to make every effort to proceed with the implementation of the activities planned for the period 1990-1993 and listed in the annex to General Assembly resolution 42/47;

14. 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-fifth session.

40th meeting  
29 February 1988

(Adopted without a vote. See chap. XVII.)



1988/17. Situation of human rights in Albania

The Commission on Human Rights,

Recalling that the human rights situation in Albania has been under consideration by the Commission on Human Rights since 1984 under the confidential procedure governed by Economic and Social Council resolution 1503 (XLVIII) of 27 May 1970,

Recalling its decision of 2 March 1987, by which it requested the Secretary-General to establish direct contacts with the Government of Albania with a view to encouraging that Government to extend its co-operation to the Commission under the procedure in question,

Noting with regret that all efforts to solicit the co-operation of the Government concerned under the procedure in question, including the efforts of the Secretary-General, have been in vain,

Having exhaustively solicited the co-operation of the Government of Albania with a view to the examination of the human rights situation in Albania under the confidential procedure governed by Economic and Social Council resolution 1503 (XLVIII),

Considering that several aspects of the human rights situation in Albania still require further examination,

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

1. Decides to discontinue consideration of the human rights situation in Albania under Council resolution 1503 (XLVIII) and to take up consideration of the matter under the public procedure provided for by Commission resolution 8 (XXIII) of 16 March 1967 and Council resolution 1235 (XLII) of 6 June 1967;

2. Decides to recommend to the Economic and Social Council that the confidential material concerning Albania that has been before the Commission under Council resolution 1503 (XLVIII) shall no longer be restricted;

3. Further decides that the present decision, adopted at the Commission's 43rd (closed) meeting, on 2 March 1988, be made public as resolution 1988/17 of the Commission's forty-fourth session.

43rd (closed) meeting

2 March 1988

[Adopted by a roll-call vote of 15 to 11, with  
17 abstentions. See chap. XII.]

1988/18. 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 its resolution 1987/17 of 10 March 1987, by which the Commission urged States, in accordance with their respective constitutional systems, and in accordance with the Universal Declaration of Human Rights, to provide, where they had 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,

Recalling further 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, was of particular significance in fostering widespread enjoyment of other basic human rights and contributed to securing the goals of economic and social development enshrined in the Charter of the United Nations, as well as General Assembly resolution 42/114 of 7 December 1987,

1. Notes that General Assembly resolution 41/132 calls for a report by the Secretary-General, to be submitted to the Assembly at its forty-third session, taking 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 of Human Rights, in ensuring the full and free participation of individuals in the economic and social systems of States;

2. Appeals to Member States, on the basis of their national experience, and to specialized agencies and other competent bodies of the United Nations 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;

3. Decides to consider at its forty-fifth 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 "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".

49th meeting

7 March 1988

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

1988/19. The impact of property on the enjoyment of human rights and fundamental freedoms

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,

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,

Reaffirming also, 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,

Bearing in mind General Assembly resolutions 42/114 and 42/115 of 7 December 1987,

Recalling its resolution 1987/18 of 10 March 1987 on the impact of property on the economic and social development of Member States,

Recognizing 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,

Recalling resolution 1987/14 of 2 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on recovery of nations' assets illegally removed by violators of human rights,

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,

1. 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;

2. 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;

3. Renews the request to the Secretary-General that, in preparing his report to the General Assembly at its forty-third session in accordance with Assembly resolution 41/132 of 4 December 1986, he take into account Assembly resolution 42/115, Commission on Human Rights resolution 1987/18 and the present resolution.

49th meeting  
7 March 1988

[Adopted by a roll-call vote of 31 to 11. See chap. VIII.]

1988/20. Recovery of nations' assets illegally removed by violators of human rights

The Commission on Human Rights,

Mindful of the need for universal respect of human rights and for application of the principle that violators should not be allowed to benefit from their crimes;

Recalling resolution 1987/14 of 2 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on recovery of nations' assets illegally removed by violators of human rights,

Requests all States concerned to co-operate in the speedy recovery of the assets belonging to the peoples of the Philippines and Haiti illegally removed by the Marcos and Duvalier families, respectively.

49th meeting  
7 March 1988

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

1988/21. 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, 1986/14 of 10 March 1986 and 1987/21 of 10 March 1987, 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-fourth session,

Mindful that in its resolution 1987/21 it requested the Secretary-General to prepare a study of laws and practices of countries regarding the question of the extent to which the right to participation had been established and had evolved at the national level, and to submit that study to the Commission on Human Rights at its forty-fifth session,

1. Takes note with appreciation of the report of the Secretary-General (E/CN.4/1988/11);

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-fifth session;

4. Decides to consider the report of the Secretary-General referred to in paragraph 3 above as well as the study of laws and practices of countries regarding the question of the extent to which the right to participation has been established and has evolved at the national level at its forty-fifth 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".

49th meeting  
7 March 1988

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

1988/22. 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, 1986/15 of 10 March 1986 and 1987/19 of 10 March 1987 on the realization of economic, social and cultural rights,

Taking note of General Assembly resolutions 40/114 of 13 December 1985, 41/117 of 4 December 1986 and 42/102 of 7 December 1987, in which the Assembly requested the Commission to give more attention to the realization of economic, social and cultural rights,

Welcoming resolution 1987/29 of 3 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

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, political, 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,

Taking note with appreciation of the report of the Committee on Economic, Social and Cultural Rights on its first session (E/1987/28),

Also taking note with appreciation of the study of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23),

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 civil, political, 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. Takes note of the report of the Secretary-General (E/CN.4/1988/9 and Add.1 and 2);
4. Again 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-fifth session;
5. Invites the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint from among its members a special rapporteur to study problems, policies and progressive measures relating to a more effective realization of economic, social and cultural rights;
6. Recommends that the special rapporteur to be appointed in accordance with paragraph 5 above take into account all documents and issues listed in Sub-Commission resolution 1987/29.

49th meeting

7 March 1988

[Adopted by a roll-call vote of 30 to 9, with  
3 abstentions. See chap. VIII.]

1988/23. 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 reaffirmed in the Charter 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,

Recognizing that, in accordance with the provisions of the International Covenant on Economic, Social and Cultural Rights, Member States, individually and through international co-operation, should intensify their efforts to secure an adequate standard of living for all people, giving priority to those living in extreme poverty,

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,

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 the most vulnerable and disadvantaged,

Recalling its resolutions 1986/13 of 10 March 1986 and 1987/20 of 10 March 1987,

Recalling Economic and Social Council resolution 1987/5 of 26 May 1987 and other relevant resolutions of the Council relating to implementation of the International Covenant on Economic, Social and Cultural Rights,

Recalling also General Assembly resolution 42/105 of 7 December 1987 and other relevant resolutions of the General Assembly relating to implementation of the International Covenant 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,

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

Reaffirming the importance of increasing public awareness of the Committee on Economic, Social and Cultural Rights and the role that non-governmental organizations can play in that regard,

Welcoming recent efforts to accord intensive study to the International Covenant on Economic, Social and Cultural Rights, and recognizing the urgent need for a more vigorous and effective multidisciplinary approach to the protection and promotion of the rights contained in the Covenant,

1. Welcomes the contribution of the Committee on Economic, Social and Cultural Rights, which has given new impetus to implementation of the economic, social and cultural rights contained in the Covenant;

2. Encourages States parties to the International Covenant on Economic, Social and Cultural Rights to give their full support and co-operation to the Committee on Economic, Social and Cultural Rights, inter alia, by ensuring that expert representatives are designated for the presentation of States' reports and by the preparation, in consultation with relevant government departments and agencies, of succinct information;

3. Welcomes the establishment by the Committee of a sessional working group to consider its methods of work and invites the Committee to develop as a matter of priority its general guidelines for the preparation of reports pursuant to articles 16 and 17 of the Covenant, taking due account of the compilation of guidelines prepared by the Secretary-General (A/40/600/Add.1) and focusing on such specific information as would assist the Committee to carry out its mandate more effectively;

4. Encourages the Committee to develop general comments along the lines of the precedent established by the Human Rights Committee, and to consider ways and means of strengthening dialogue and the information flow with the other treaty bodies;

5. Invites States parties, in conformity with article 2, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, to consider identifying bench-marks to measure achievements in the progressive realization of the rights recognized in the Covenant, and in this context to pay particular regard to the most vulnerable and disadvantaged;

6. 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 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;

7. Invites Member States to include measures to ensure the promotion and protection of human rights in national development policies and programmes;

8. Expresses appreciation for the report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23), and recommends to the Secretary-General that steps be taken to ensure better co-ordination between specialized agencies, other organs dealing with food-related matters and the United Nations human rights bodies;

9. Requests the Secretary-General to intensify co-ordination between the human rights activities of the United Nations and the programmes of the development agencies, and, in this regard, notes the relevance of the programme of advisory services;

10. 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 for effective implementation of the International Covenant on Economic, Social and Cultural Rights, while paying due regard to the distinctive character of the Committee on Economic, Social and Cultural Rights in its capacity as a treaty body;

11. Invites the Economic and Social Council, pursuant to article 22 of the Covenant, to identify ways in which international co-operation and technical assistance would contribute, particularly in developing countries, to the effective progressive implementation of the rights recognized in the International Covenant on Economic, Social and Cultural Rights;

12. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities, when studying problems, policies and progressive measures relating to a more effective realization of economic, social and cultural rights, to give priority to identifying practical strategies to promote for everyone the economic, social and cultural rights contained in the Covenant, paying particular attention to the most vulnerable and disadvantaged;

13. Decides to consider issues raised by the present resolution again at its forty-fifth session under the agenda item "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".

49th meeting

7 March 1988

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

1988/24. Realization of the right to adequate housing

The Commission on Human Rights,

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,

Recalling its resolution 1987/22 of 10 March 1987,

Noting with appreciation the measures and action taken and the renewed commitments made during the International Year of Shelter for the Homeless (1987) by Member States, specialized agencies and intergovernmental and non-governmental organizations so as to advance the realization of this right,

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

1. Expresses its deep concern that millions of people do not enjoy the right to adequate housing;

2. Reiterates the need to take, at the national and international levels, measures to promote the right of all persons to an adequate standard of living for themselves and their families, including adequate housing;

3. Takes note of the attention paid to the question of promoting the right to adequate housing in the information transmitted by the Secretary-General in his report to the General Assembly on the realization of the objectives of the International Year of Shelter for the Homeless (A/42/378);

4. Notes that the General Assembly, in resolution 42/146, called upon all States and the international organizations concerned to pay special attention to the realization of the right to adequate housing in carrying out measures to develop national shelter strategies and settlement improvement programmes within the framework of the global strategy for shelter to the year 2000;

5. Decides, in accordance with General Assembly resolution 42/146, to keep the question of the right to adequate housing under periodic review.

49th meeting

7 March 1988

[Adopted by a roll-call vote of 31 to none, with 11 abstentions. See chap. VIII.]

1988/25. Promotion and protection of human rights and fundamental freedoms as an essential condition for the achievement of social justice for all

The Commission on Human Rights,

Aware that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women, and to promote social progress and better standards of life in larger freedom,

Mindful that, in accordance with the Universal Declaration on Human Rights, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Mindful also of the pledge of States Members of the United Nations under the Charter of the United Nations to take joint and separate action 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 that, in accordance with the Declaration on Social Progress and Development, 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,

Recalling General Assembly resolution 42/49 of 30 November 1987 on achievement of social justice,

Noting that the objective of social justice proclaimed in the Declaration on Social Progress and Development has not yet been universally achieved, and affirming that the promotion and protection of human rights are essential to the achievement of social justice,

1. Reaffirms that the promotion and protection of human rights and fundamental freedoms are essential to foster a climate conducive to the achievement of the goals of development, social justice and progress;

2. Considers that the common purpose of the international community must be to forge from varied economic, social and political conditions a global environment of sustained development, full enjoyment of human rights and fundamental freedoms, social justice and peace;

3. Recognizes that social justice is one of the most important goals of the social policy of each State and that the guaranteeing by States of all human rights and fundamental freedoms would ensure social justice for every member of society.

49th meeting  
7 March 1988

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

1988/26. 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 has entered a new phase of its deliberations on this matter, directed towards implementation and further enhancement of the Declaration,

Aware of the interest shown by several States Members of the United Nations, specialized agencies and non-governmental organizations in 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.4/1988/10);

2. Requests the Secretary-General to transmit that report to the General Assembly at its forty-third 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 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, drawing their attention to the compilation of replies (E/CN.4/AC.39/1988/L.2) and inviting them once more as a matter of urgency and high priority to offer their comments and views on the subject of the implementation and further enhancement 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 in response to the present resolution, and of the statements on the right to development made during the discussion in the Commission on Human Rights at its forty-fourth session and in the Economic and Social Council at its first regular session of 1988, 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 of Governmental Experts on an open-ended basis during the last week of January 1989;

7. Directs the Working Group 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-fifth session, its final 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, and especially as to the views of the Secretary-General and Governments on how an evaluation system on the implementation and further enhancement of the Declaration on the Right to Development could be set up;

8. Decides also that, at its forty-fifth session, on the basis of the consideration of the report of the Working Group of Governmental Experts and the views expressed by the members of the Commission at the session, a decision will be taken on the further course of action in the matter, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development;

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-fifth session.

49th meeting  
7 March 1988

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

1988/27. 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 1987/26 of 10 March 1987 and General Assembly resolution 42/103 of 7 December 1987,

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/42/450),

Noting in this regard that a number of the States Members of the United Nations have yet to become parties to the International Covenants on Human Rights,

Bearing in mind its responsibility for the co-ordination of activities concerning human rights in the United Nations system, in accordance with Economic and Social Council resolution 1979/36 of 10 May 1979,

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. 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;
7. 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 and 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;

8. Recognizes the important role of the Human Rights Committee and expresses its satisfaction with the serious and constructive manner in which that Committee has discharged its functions under the International Covenant on Civil and Political Rights and the Optional Protocol thereto 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 establishment of the Committee on Economic, Social and Cultural Rights, 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. Urges the Secretary-General to give more publicity to the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights and to ensure that the necessary administrative and related support is provided, including sufficient meeting time and summary records of their meetings, to enable them to carry out their respective functions effectively;

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 latter Covenant in as many languages as possible and to disseminate them as widely as possible in order to make them better known;

15. Notes with satisfaction the publication of the first volumes of the Yearbook of the Human Rights Committee, containing the official records of the Committee, and looks forward to the early publication of further volumes;

16. Requests the Secretary-General to submit to the Commission on Human Rights, at its forty-fifth session, a report 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 all reservations and declarations, and to include in that report information on the work of the Economic and Social Council and the Committee on Economic, Social and Cultural Rights;

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

49th meeting  
7 March 1988

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

1988/28. 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, 41/147 of 4 December 1986 and 42/133 of 7 December 1987,

Recalling also its resolutions 1986/18 of 10 March 1986 and 1987/25 of 10 March 1987,

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

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,

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. Notes with satisfaction that many States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;

4. Urges again those States that have not yet become parties to the Convention to ratify it or accede thereto without further delay.

49th meeting

7 March 1988

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

1988/29. The right to food

The Commission on Human Rights,

Recalling its resolutions 1986/15 of 10 March 1986 and 1987/19 of 10 March 1987, in which it urged 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,

Having received the final report on the right to adequate food as a human right prepared by Mr. Asbjørn Eide (E/CN.4/Sub.2/1987/23) and the relevant records of the Sub-Commission,

Expressing its appreciation and thanks to the Special Rapporteur of the Sub-Commission for his thorough and comprehensive study,

1. Recommends to Governments which have not already done so to draw up plans for national food security along the lines suggested in the study and in line with their own development plans;

2. Urges Governments to recognize and to comply with their obligations, particularly those related to international co-operation based on free consent, in regard to the peoples of other States arising from the right to food and from principles enshrined in the Charter of the United Nations and other instruments;

3. Calls on national and international non-governmental organizations to support the efforts to realize the right to food world-wide, and to base their efforts on the right to food rather than on policy statements;

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.]

50th meeting

7 March 1988

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

1988/30. Extension of the mandates of special rapporteurs on thematic issues in the field of human rights

The Commission on Human Rights,

Emphasizing the importance of the mandates of the special rapporteurs on thematic issues,

Conscious of the desirability of advance planning in the allocation of the staff and financial resources of the Centre for Human Rights,

Wishing to improve the opportunities for co-operation between special rapporteurs and Governments,

Recommends the following draft decision to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. B, draft decision 5.]

52nd meeting  
8 March 1988

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

1988/31. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and of the International Covenants on Human Rights

The Commission on Human Rights,

Having considered the sub-item and item of its agenda entitled respectively "Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" and "Status of the International Covenants on Human Rights",

Noting that different methods apply to the distribution among States parties of expenses incurred as regards the implementation machinery under the various international instruments in the field of human rights,

Concerned that legal, financial and administrative difficulties arising in connection with some of these methods may increasingly hamper the proper functioning of the respective implementation machinery,

Conscious that the financial burden to be carried by States parties under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is an onerous one, especially for developing countries, and may delay its universal acceptance,

Noting that the United Nations, having adopted these various instruments, has an interest in ensuring that any difficulties affecting the functioning of the relevant monitoring bodies are appropriately addressed,

Bearing in mind that the Economic and Social Council is called upon to consider annual reports on the activities of all such bodies and that it can therefore make appropriate recommendations to the General Assembly,

1. Recommends to the Economic and Social Council that it give the matter due attention;

2. Requests the Secretary-General to prepare for consideration by the Council at its next session a concise overview of the various methods applied under different human rights instruments as regards their financial implications.

52nd meeting

8 March 1988

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

1988/32. Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur

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 entry into force on 26 June 1987 of 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, as well as the election of the members of the Committee against Torture,

Recalling its resolution 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 its resolutions 1986/50 of 13 March 1986 and 1987/29 of 10 March 1987, 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,

Recalling the recommendations and conclusions of the Special Rapporteur underlined in its resolution 1987/29,

1. Commends the Special Rapporteur for his report (E/CN.4/1988/17 and Add.1);
2. Underlines once again previous 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. Endorses 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 conclusions of the Special Rapporteur stressing the importance of limiting, and eventually declaring illegal, incommunicado detention under national law, since many alleged cases of torture are reported to have taken place during incommunicado detention;
5. Endorses once again 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, and requests him to continue to promote universal adherence to that Convention and to encourage all States to fulfil its provisions strictly;

6. Emphasizes the importance of training programmes for law and security personnel and draws the attention of interested Governments to the possibilities offered in this connection by the United Nations programme of advisory services in the field of human rights;

7. Decides to continue the mandate of the Special Rapporteur for two years, 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 in order to enable him to submit his report to the Commission at its forty-fifth session.

52nd meeting

8 March 1988

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

1988/33. 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 (A/34/146, annex),

Mindful of the various 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 of 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,

Further guided by relevant General Assembly resolutions, in particular resolution 42/143 of 7 December 1987 on human rights in the administration of justice,

Recalling its resolution 1987/33 of 10 March 1987,

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 again 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. Urges the Sub-Commission on Prevention of Discrimination and Protection of Minorities to pursue vigorously its consideration of the issue of the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, on the basis of the report of its Special Rapporteur on this subject, and to formulate, as a matter of priority, its concrete recommendations on this issue;
5. Requests the Sub-Commission to continue to give attention to the question of a declaration against unacknowledged detention of persons, as well as to the question of states of siege or emergency;
6. Reminds the Sub-Commission of its request that, when carrying out its annual review of the human rights of persons subjected to any form of detention or imprisonment, it should 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 continue making available to the Sub-Commission succinct information on these matters;



7. 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 with regard to unacknowledged detention of persons;

8. Notes with appreciation that measures have been taken 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 and that a focal point has been created 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;

9. Requests the Secretary-General to provide the necessary resources to carry out the tasks mentioned in paragraph 8;

10. Expresses the hope that the Human Rights Committee and regional human rights institutions established by regional human rights instruments will endeavour to study possible areas of co-operation with human rights bodies of the United Nations system in this field and inform the Commission of their reflections on this matter;

11. Requests the Secretary-General to continue to assist Member States, at their request, in implementing existing international human rights standards in the administration of justice, in particular under the programme of advisory services;

12. Decides to consider the question of human rights in the administration of justice at its forty-fifth session under the agenda item "Question of the human rights of all persons subjected to any form of detention or imprisonment".

52nd meeting

8 March 1988

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

1988/34. 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 resolutions 1986/55 of 13 March 1986 and 1987/27 of 10 March 1987,

Recalling General Assembly resolution 42/142 of 7 December 1987, 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 in some cases the families of disappeared persons have suffered intimidation and ill-treatment,

Having considered the report of the Working Group (E/CN.4/1988/19 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 the Working Group for submitting to the Commission at its forty-fourth session a report in accordance with its resolution 1987/27;
2. Takes note of the report of the Working Group and thanks it for formulating its methods of work explicitly and in detailed fashion and for recalling the humanitarian spirit underlying its mandate;
3. Decides to extend for two years the Working Group's mandate, as laid down in Commission on Human Rights resolution 20 (XXXVI), in accordance with the recommendations of the Working Group, so as to enable the Group to take into consideration all information communicated to it on the cases brought to its attention, while maintaining its annual reporting cycle;
4. Requests the Working Group to report to the Commission, at its forty-fifth and forty-sixth sessions, on its work, and reminds it of the obligation to discharge its mandate with discretion;
5. 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 tasks;

6. 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;

7. Urges the Governments concerned, particularly 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;

8. 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;

9. Requests the Secretary-General to consider ways and means of better publicizing the objectives, procedures and methods of the Working Group, more particularly within the framework of the information activities of the Centre for Human Rights;

10. Encourages the Governments concerned to give serious consideration to inviting the Working Group to visit their country, so as to enable the Group to fulfil its mandate even more effectively;

11. Expresses its profound thanks to the Governments which have invited the Working Group;

12. 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, especially in carrying out missions or holding sessions in countries which would be prepared to receive them.

13. Decides to consider this question at its forty-fifth session under the sub-item of the agenda entitled "Question of enforced or involuntary disappearances".

52nd meeting

8 March 1988

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

1988/35. 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 42/122 of 7 December 1987,

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

Recalling its resolution 1987/29 of 10 March 1987, 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 1987/31 of 10 March 1987,

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/42/701),

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. Again requests 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.

52nd meeting

8 March 1988

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

1988/36. 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, both of which provide 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 1987/30 of 10 March 1987 and General Assembly resolution 42/123 of 7 December 1987,

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials and of 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,

Convinced of the desirability of early finalization and subsequent adoption of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (A/34/146, annex),

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, and its subsequent decisions to continue his mandate.

1. Takes note of the report of the Secretary-General (E/CN.4/1988/18) on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. Welcomes with deep satisfaction the entry into force of the Convention on 26 June 1987 as a major step in international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

3. Stresses the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, and appeals to all States parties not to take any measures which might impair the financing of all the functions of the Committee under the Convention, so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

4. Also stresses the need for the Committee against Torture to give early attention to the development of an effective reporting system on implementation by States parties to the Convention, taking due account of the Secretary-General's draft guidelines on reporting and the activities of the Human Rights Committee, as well as of the other treaty bodies established under the relevant international instruments in the field of human rights;

5. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee against Torture;

6. Reiterates its request to all States to become parties to the Convention as a matter of priority, so that this instrument may acquire genuine universality;

7. 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;

8. 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;

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

52nd meeting

8 March 1988

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

1988/37. 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 of 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, 1986/46 of 12 March 1986 and 1987/32 of 10 March 1987,

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, and welcoming the progress achieved to that end at the current session of the Commission's working group on the subject,

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 to the safeguarding of human dignity,

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 any persons have 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, and to make recommendations to the Commission on Human Rights at its forty-fifth session on further measures which may be required at national and international levels to promote and safeguard this right;

4. Decides to review this matter at its forty-fifth session on the basis, inter alia, of the recommendation of the Sub-Commission and all other relevant information with a view to promoting respect for the right to freedom of opinion and expression.

52nd meeting

8 March 1988

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

#### 1988/38. 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 resolutions 1986/49 of 12 March 1986 and 1987/28 of 10 March 1987, 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 involving, more and more often, 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 is 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-fifth session.

52nd meeting

8 March 1988

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

#### 1988/39. Political prisoners

The Commission on Human Rights,

Guided by the provisions of the Universal Declaration of Human Rights,

Mindful of article 9 of the International Covenant on Civil and Political Rights, which guarantees the right to liberty and security of person,

Mindful of articles 18 and 19 of the International Covenant on Civil and Political Rights, which guarantee the right to freedom of thought, conscience and religion and the right to freedom of opinion and expression,

Further mindful of articles 21, 22 and 25 of the International Covenant on Civil and Political Rights, which guarantee the rights of peaceful assembly and freedom of association and the right to take part in the conduct of public affairs,

Recalling that, in accordance with article 5 of the International Covenant on Civil and Political Rights, no right may be implied for any State, group or person to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms recognized in the Covenant, or at their limitation to a greater extent than is therein provided for,

Further recalling its resolution 1987/32 of 10 March 1987,

1. Expresses its concern at the fact that in many parts of the world numerous persons are detained for seeking to exercise peacefully their human rights and fundamental freedoms, in particular the rights to freedom of expression, of assembly and of association, as provided for in the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights, or to promote and defend those rights and freedoms, and that these persons are often exposed to special dangers as regards the protection of their human rights and fundamental freedoms;

2. Requests all Governments to release all persons deprived of their liberty for seeking peacefully to exercise those rights and freedoms or to promote and defend them;

3. Calls on all Governments, pending such release, to take effective measures to safeguard the human rights and fundamental freedoms of such persons;

4. Decides to consider this question anew at its forty-fifth session, under the agenda item "Question of the human rights of all persons subjected to any form of detention or imprisonment".

52nd meeting  
8 March 1988

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

1988/40. The independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

The Commission on Human Rights,

Guided by the principles embodied in articles 7, 8, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 14 and 26 of the International Covenant on Civil and Political Rights,

Recalling Economic and Social Council decision 1980/124 of 2 May 1980, by which the Council took note of Commission resolution 16 (XXXVI) of 29 February 1980, recommending the appointment of a special rapporteur on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers,

Aware of the essential role that judges, jurors, assessors and lawyers play in the protection and promotion of human rights and fundamental freedoms,

Convinced that an independent and impartial judiciary and independent lawyers are prerequisites for ensuring that there shall be no discrimination in the administration of justice,

Having regard to resolution 1983/38 of 6 September 1983 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the Sub-Commission requested the Special Rapporteur to consider the most appropriate means by which the international community could contribute to strengthening legal institutions,

Recalling also General Assembly resolution 40/146 of 13 December 1985, in which the Assembly encouraged the Sub-Commission, in giving further consideration to the question of the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, to take into account the Basic Principles on the Independence of the Judiciary adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in making final recommendations at its thirty-ninth session,

Recalling further its resolution 1987/33 of 10 March 1987, in which it requested 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,

Recalling also that, by its resolutions 1986/32 of 11 March 1986 and 1987/33 of 10 March 1987, it requested the Sub-Commission to consider the report of the Special Rapporteur as a matter of high priority with a view to submitting it to the Commission with the Sub-Commission's final recommendations,

1. Thanks the Special Rapporteur, Mr. L. M. Singhvi, for his study (E/CN.4/Sub.2/1985/18 and Add.1-6) on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers and for the draft declaration on the independence of justice which is now before the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

2. Welcomes Sub-Commission resolution 1987/23 of 3 September 1987, whereby the Sub-Commission, after having examined the study of the Special Rapporteur, decided to consider the draft declaration on the independence of justice proposed by him (E/CN.4/Sub.2/1985/18/Add.5/Rev.1) at its fortieth session, as a separate item on its agenda, on a priority basis;

3. Requests the Sub-Commission, taking into account the comments of Governments and of the Centre for Social Development and Humanitarian Affairs and all other relevant comments and suggestions, to review and to finalize the draft declaration proposed by the Special Rapporteur with a view to submitting it to the Commission at its forty-fifth session.

52nd meeting

8 March 1988

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

1988/41. Staff members of the United Nations and specialized agencies in detention

The Commission on Human Rights,

Recalling General Assembly resolution 41/205 of 11 December 1986, in which the Assembly deplored the growing number of cases where the functioning, safety and well-being of officials had been adversely affected, including cases of detention in Member States and abduction by armed groups and individuals, and the increasing number of cases in which the lives and well-being of officials had been placed in jeopardy during the exercise of their official functions,

Affirming the importance of its resolution 31 (XXXVI) of 11 March 1980, in which it requested the Secretary-General to use his good offices to ensure the full enjoyment of human rights by United Nations staff members and their rights under the Convention on the Privileges and Immunities of the United Nations,

Taking note of resolution 1987/21 of 3 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the Sub-Commission requested the Secretary-General to redouble and strengthen his efforts to ensure that the human rights and privileges and immunities of United Nations staff members and their families were fully respected and to submit to the Sub-Commission, at its fortieth session, a detailed report on the situation of international civil servants and their families detained, imprisoned, missing or held in a country against their will,

Gravely concerned that a significant number of personnel in the service of the United Nations continue to be held captive or are otherwise unaccounted for,

Greatly appreciating the efforts of the Secretary-General to promote a satisfactory resolution of all cases of this kind, and noting that these efforts have already produced concrete results concerning the security of international civil servants,

1. Appeals again to Member States to respect and to ensure respect for the rights of staff members and others acting under the authority of the United Nations, and their families;

2. Requests the Secretary-General to continue his efforts to ensure that the human rights and privileges and immunities of United Nations staff members and their families are fully respected;

3. Further requests the Secretary-General to submit to the Commission at its forty-fifth session an updated version of the report he has been asked to submit to the Sub-Commission at its fortieth session on the situation of international civil servants and their families detained, imprisoned, missing or held in a country against their will, including those cases which have been successfully settled during the five years preceding the Commission's forty-fifth session.

52nd meeting

8 March 1988

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

1988/42. Report of the Working Group on Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Having considered resolutions 1987/31 and 1987/32 of 4 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1982/20 of 10 March 1982 on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism,

Recalling also Economic and Social Council resolutions 1982/20 of 4 May 1982 and 1983/30 of 26 May 1983 on the suppression of the traffic in persons and of the exploitation of the prostitution of others,

Considering that the excellent report of Mr. J. Fernand-Laurent, Special Rapporteur of the Economic and Social Council (E/1983/7 and Corr.1 and 2) on the suppression of the traffic in persons and the exploitation of the prostitution of others still constitutes a useful basis for further action,

Recalling further General Assembly resolutions 38/107 of 16 December 1983 and 40/103 of 13 December 1985 on the prevention of prostitution,

Gravely concerned that slavery, the slave trade, slavery-like practices and even modern manifestations of this phenomenon still exist, representing some of the gravest violations of human rights,

1. Endorses the recommendation of the Sub-Commission on Prevention of Discrimination and Protection of Minorities that the name of the Working Group on Slavery be changed to "Working Group on Contemporary Forms of Slavery";

2. Invites the Sub-Commission and its Working Group to draw up, for submission to the Commission on Human Rights at its forty-fifth session, a plan of action on its future work regarding the elimination of contemporary forms of slavery, including the traffic in persons and the exploitation of the prostitution of others, and paying particular attention to the prevention of child prostitution and child pornography;

3. Decides to transmit to all Member States the recommendation by the Sub-Commission that freedom of attendance and freedom of speech before the Working Group be solemnly reaffirmed, and that any step taken by any authority designed to interfere with those freedoms or to punish their exercise be strongly condemned;

4. Requests the Secretary-General to report to the Economic and Social Council on the steps taken to implement the recommendations in Council resolution 1983/30;

5. Recommends that the Sub-Commission consider appointing a special rapporteur to review the implementation of the recommendations made and the appropriate measures taken by United Nations organs and executing agencies, international organizations and Member States and to submit recommendations to the Sub-Commission at its forty-first session with a view to enhancing further progress in the prevention and suppression of slavery-like practices, the traffic in persons and the exploitation of the prostitution of others as well as other contemporary forms of slavery;

6. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution III.]

52nd meeting  
8 March 1988

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

1988/43. Work of the Sub-Commission on Prevention of  
Discrimination and Protection of Minorities

The Commission on Human Rights,

Taking note of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session (E/CN.4/1988/37 and Corr.1),

Expressing appreciation for the positive contribution made by the Sub-Commission to the work of the Commission in the promotion and protection of human rights,

Recalling the terms of reference of the Sub-Commission as defined by the Commission at its first and fifth sessions and its particular responsibilities established in Commission resolutions 8 (XXIII) of 16 March 1967 and 17 (XXXVII) of 10 March 1981, Economic and Social Council resolutions 1235 (XLII) of 6 June 1967 and 1503 (XLVIII) of 27 May 1970 and the relevant resolutions of the General Assembly,

Reaffirming its 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 concerning the reports of the Sub-Commission on its thirty-fourth, thirty-fifth, thirty-seventh and thirty-eighth sessions,

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, in conformity with the principles embodied in Economic and Social Council resolutions 1296 (XLIV) of 23 May 1968 and 1919 (LVIII) of 5 May 1975,

Reaffirming that the systematic preparation of well-researched studies and reports is a most important element of the expert work of the Sub-Commission and of its contribution to the work of the Commission,

Welcoming the interest shown by the Sub-Commission in fostering a more substantial dialogue with the Commission,

Stressing the valuable role that the Sub-Commission, as a body of independent experts, can play, inter alia, in initiating new developments in the field of human rights and also in providing a forum for the contributions of non-governmental organizations in this field,

Reaffirming that it is helpful and appropriate for the Commission, as the parent body, to give guidance to the Sub-Commission in order to ensure the complementarity of its activities with those of the Commission and to maximize the effectiveness of its expert contributions to the Commission's work, and convinced that it is appropriate for the Commission to give more considered attention to the work of the Sub-Commission and thereby increase the effectiveness of both bodies in their respective roles,

Noting that the steps taken so far by the Sub-Commission to rationalize and streamline its work have not fully achieved the desired results,

1. Reaffirms that the Sub-Commission can best assist the Commission by providing it with recommendations based on the different views and perspectives of independent experts, which should be appropriately reflected in the Sub-Commission's reports as well as in the expert studies carried out under its auspices;
2. Calls upon the Sub-Commission, in the fulfilment of its functions and duties, to be guided by the relevant resolutions of the Commission and the Economic and Social Council;
3. Draws the attention of the Sub-Commission to the comments and suggestions made at the forty-fourth session of the Commission and requests the Sub-Commission to take them into account;
4. Firmly recommends that, in order to promote an even work-load and the expeditious performance of its tasks, the Sub-Commission should, as a general rule, propose a new study only when a study previously authorized is fully completed;
5. Requests the Sub-Commission to give priority to those topics on which standards are being prepared, in accordance with decisions taken by the Commission and within the time frames set by the Commission;
6. Urges all the special rapporteurs of the Sub-Commission to submit their reports by the deadline given by the Secretariat so that these reports can be available in all languages well before the meeting;
7. Reminds the Sub-Commission that new studies can only be undertaken, or reports involving financial implications requested from the Secretary-General, after authorization by its superior bodies;
8. Recalls Sub-Commission resolution 1984/37 of 31 August 1984, in which the Sub-Commission established a three-year cycle for the finalization of reports undertaken under its auspices and in which it expressed its understanding that the stages of that cycle would not normally require repeated approval by the Commission on Human Rights or the Economic and Social Council or further resolutions of the Sub-Commission;
9. Requests the Secretary-General to draw the attention of the Sub-Commission, in all instances where decisions or resolutions would involve financial implications not hitherto approved, to the necessity to submit to its superior bodies draft proposals for their consideration;
10. Asks the Sub-Commission to restrict its requests to the Secretary-General to asking Governments, intergovernmental organizations, specialized agencies and other such bodies for their views and comments only on those studies which have received prior explicit approval from the Commission;



11. Invites the Sub-Commission to give due consideration to draft resolutions proposed for adoption and to seek the widest possible measure of agreement on them, bearing in mind that such resolutions should be proposed only on such subjects as have been thoroughly discussed in the Sub-Commission or in its working groups and should be consistent with the role of the Sub-Commission as a body of independent experts;

12. Urges the Sub-Commission, when examining items which are extensively discussed elsewhere in the United Nations system, to concentrate its attention on those specific human rights issues on which it can make a distinctive contribution;

13. Firmly recommends that the Sub-Commission should pay particular attention to the standard-setting activities which have been assigned to it by the Commission;

14. Invites the Sub-Commission to give due regard to new developments in the field of human rights;

15. Recognizes that working groups constitute an invaluable element in the expert work of the Sub-Commission;

16. Calls upon States to nominate as members and alternates persons meeting the criteria of independent experts who should discharge their functions in that capacity as members of the Sub-Commission;

17. Calls upon all members of the Sub-Commission to attend the sessions of the Sub-Commission and its working groups or to be represented by their alternates and to take an active part in their deliberations in order to achieve a broad exchange of individual views based on the knowledge and experience of all the members;

18. Invites the Sub-Commission to continue its efforts to rationalize its agenda and to arrive at increased efficiency and economical methods of work, inter alia by:

(a) Avoiding procedural debates to the maximum extent possible so that more time can be devoted to matters of substance;

(b) Organizing contributions of observers and non-governmental organizations in such a way as to leave sufficient time for debate among its members;

19. Requests the Secretary-General to continue to give strong support to the Sub-Commission and in particular to ensure that Sub-Commission documents are available in all languages in good time before the session;

20. Requests the Chairman of the Sub-Commission to report to the Commission on the implementation of the guidelines which the Commission is providing in the present resolution.

52nd meeting

8 March 1988

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

1988/44. Report of the 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 1987/34 of 10 March 1987, in which it urged the Working Group on Indigenous Populations to intensify its efforts, in carrying out its plan of action, to continue the elaboration of international standards in this field,

Recalling further Sub-Commission resolution 1987/16 of 2 September 1987, whereby the Sub-Commission endorsed the recommendation that the Working Group make every effort to complete a draft declaration on indigenous rights as soon as possible,

Having examined the report (E/CN.4/Sub.2/1987/22 and Add.1) of the Working Group on its fifth session, held from 3 to 7 August 1987,

Conscious that, in various situations, indigenous populations are unable to enjoy their inalienable human rights and fundamental freedoms,

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,

Determined to do everything possible to promote the enjoyment of the rights of indigenous populations,

Welcoming the appointment by the Secretary-General of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations and the fact that the Board will be holding its first session in April 1988 with a view to facilitating indigenous participation in the activities of the Working Group's sixth session,

1. Expresses its appreciation to the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its valuable work, in particular the progress made at its fifth session in the area of standard setting, and for its continued broad approach and flexible methods of work;
2. Further expresses its appreciation for the active and constructive participation in the work of the Working Group of observers for Governments, specialized agencies, non-governmental organizations and, in particular, organizations and communities of indigenous populations;
3. Encourages Governments and indigenous organizations and communities, as well as other interested parties, to review and comment upon the preliminary draft principles contained in annex II to the report of the Working Group on its fifth session (E/CN.4/Sub.2/1987/22), as invited by the Sub-Commission;
4. Urges the Working Group to intensify its efforts to continue and to complete as soon as possible 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 situations and aspirations of indigenous populations throughout the world;
5. 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, non-governmental organizations and organizations and communities of indigenous populations, in order to encourage the widest possible participation in its work;
6. Expresses its gratitude and appreciation to the Governments and organizations which have already made contributions to the United Nations Voluntary Fund for Indigenous Populations;
7. Appeals to all Governments, organizations and individuals in a position to do so to consider favourably requests for initial as well as further contributions to the Fund.

• 52nd meeting  
8 March 1988

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

1988/45. Administrative detention without charge or trial

The Commission on Human Rights,

Recalling its resolution 1985/16 of 11 March 1985, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to analyse available information concerning the practice of administrative detention without charge or trial, and to make recommendations regarding its use,

Noting Sub-Commission decision 1985/110 of 29 August 1985 regarding the preparation, in advance of the thirty-ninth session, of an explanatory paper suggesting procedures by which it might carry out its responsibilities concerning administrative detention without charge or trial,

Noting also Sub-Commission resolution 1987/24 of 3 September 1987, in which the Sub-Commission requested its Rapporteur to draft a questionnaire and send it to all Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status concerned, with a view to obtaining further information and views relating to the matters dealt with in his explanatory paper, and to present to the Sub-Commission, at its fortieth session, a further analysis on the basis, inter alia, of the answers to its questionnaire,

Aware of the importance of considering further and in greater depth the question of administrative detention without trial,

Noting with concern that, in some cases, the administrative detention procedure is subject to abuse,

Bearing in mind that, in order to prevent any abuse, the administrative detention procedure must be applied, particularly with regard to duration, in clearly defined conditions laid down by national laws, in accordance with the norms of international law,

1. Takes note of the explanatory paper on the practice of administrative detention without charge or trial (E/CN.4/Sub.2/1987/16) submitted to the Sub-Commission at its thirty-ninth session;
2. Invites all Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status concerned to assist the Rapporteur in discharging his mandate by forwarding their answers to the questionnaire sent to them;
3. Requests the Sub-Commission to consider, at its fortieth session, the analysis submitted by its Rapporteur and to make any proposals it deems necessary on the question to the Commission on Human Rights;

4. Decides to continue its consideration of this question at its forty-fifth session, under the agenda item "Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its fortieth session".

52nd meeting  
8 March 1988

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

1988/46. The right of everyone to leave any country, including his own, and to return to his country

The Commission on Human Rights,

Mindful of article 13 of the Universal Declaration of Human Rights and article 12 of the International Covenant on Civil and Political Rights, which recognize the right of everyone to leave any country, including his own, and to return to his own country,

Taking into account the Study of Discrimination in Respect of the Right of Everyone to Leave Any Country, Including His Own, and to Return to His Country submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fifteenth session by the Special Rapporteur, Mr. José D. Ingles, and issued as a United Nations publication in 1964,

Recalling that the draft principles included in that study were adopted by the Sub-Commission in its resolution 2 (XV) and brought to the attention of Governments and international governmental and non-governmental organizations concerned by Economic and Social Council resolution 1788 (LIV) of 18 May 1973, on the recommendation of the Commission in its resolution 12 (XXIX) of 23 March 1973,

Mindful of Council resolution 1788 (LIV), by which the Council decided that the Commission should retain on its agenda the question of the right of everyone to leave any country, including his own, and to return to his country,

Recalling Economic and Social Council resolution 1984/29 of 24 May 1984, by which the Council endorsed the appointment by the Sub-Commission of a Special Rapporteur, Mr. Mubanga-Chipoya, to prepare an analysis of current trends and developments in that field,

Recalling also Sub-Commission resolution 1985/29 of 30 August 1985, in which the Sub-Commission requested the Special Rapporteur to present to it, at its thirty-ninth and fortieth sessions, respectively, a preliminary draft and a proposed final draft of the draft declaration on the right of everyone to leave any country, including his own, and to return to his country, together with final reports on various aspects of the question,

Recalling further its resolution 1986/30 of 11 March 1986 in which, taking note with interest of the progress report prepared by the Special Rapporteur (E/CN.4/Sub.2/1985/9), it welcomed the progress so far achieved by him in his study and appealed to the Sub-Commission to consider the issue at its thirty-ninth session,

Regretting that, for technical reasons, additional portions of the report and its annexes could not be made available to the Sub-Commission in time for consideration at its thirty-ninth session,

Desiring to promote further standard setting in this field in view of the fact that many people are still denied the right to leave their country or to return to it,

1. Thanks the Special Rapporteur, Mr. Mubanga-Chipoya, for his final report and for the preliminary draft declaration on the right of everyone to leave any country, including his own, and to return to his country, contained in annex I to the report (E/CN.4/Sub.2/1987/10);

2. Takes note of Sub-Commission decision 1987/105 of 2 September 1987, in which the Sub-Commission decided, inter alia, to consider as a matter of priority at its fortieth session the said final report and the preliminary draft declaration;

3. Notes also with satisfaction that the Sub-Commission has decided to consider the matter under a separate sub-item of the agenda item entitled "Promotion, protection and restoration of human rights at national, regional and international level";

4. Requests that appropriate steps be taken to ensure that the Sub-Commission is provided with the entire report and requests the Secretary-General to continue giving the Special Rapporteur all the assistance required to enable him to present the final report and the draft declaration to the Sub-Commission at its fortieth session;

5. Recalls once again that in its resolution 1985/22 of 11 March 1985 it requested the Sub-Commission to consider the report by Mr. Mubanga-Chipoya as a matter of priority, with a view to submitting to the Commission as soon as possible a draft declaration on the right of everyone to leave any country, including his own, and to return to his country.

52nd meeting

8 March 1988

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

1988/47. Prosecution and punishment of all war criminals and persons who have committed crimes against humanity

The Commission on Human Rights,

Recalling resolution 1987/4 of 31 August 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities concerning the development of international co-operation to secure the prosecution and punishment, in the countries where their deeds were committed, of war criminals and persons guilty of crimes against humanity,

Condemning the attempts made even today to deny the acts of genocide committed as a result of Nazi and Fascist ideology and practices,

Commending the co-operation among various States Members of the United Nations which has resulted in the fair trial and just punishment of important war criminals, including the Nazi war criminal Klaus Barbie, for their crimes against humanity,

Noting with satisfaction the spirit of co-operation shown by several Member States in facilitating the extradition of war criminals who, in the aftermath of the Second World War, attempted to elude responsibility for their deeds by taking refuge in other countries,

Welcoming the interest shown in this problem by numerous Member States regarding alleged war criminals residing in their territories and the assistance given by other Member States in providing evidence making possible the extradition and prosecution of such individuals,

Recognizing that, according to consistent and well-documented reports, a large number of persons alleged to have committed war crimes and crimes against humanity live in the territories of States Members of the United Nations,

Urges all States to take the necessary measures, in accordance with their national constitutional systems, to ensure full international co-operation for the purpose of securing, preferably in the place where they committed their deeds, the prosecution and just punishment of all those who have committed war crimes and crimes against humanity.

52nd meeting

8 March 1988

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

1988/48. Study of the problem of discrimination  
against indigenous populations

The Commission on Human Rights,

Noting resolution 1987/8 of 31 August 1987 of the Sub-Commission on  
Prevention of Discrimination and Protection of Minorities,

Having examined the report of the Sub-Commission's Working Group on  
Indigenous Populations on its fifth session, held from 3 to 7 August 1987  
(E/CN.4/Sub.2/1987/22 and Add.1),

Having examined also the final progress report of the Special Rapporteur  
of the Sub-Commission, Mr. Asbjørn Eide, on the achievements of, and  
obstacles encountered during, the first Decade for Action to Combat Racism and  
Racial Discrimination (E/CN.4/Sub.2/1987/6),

Convinced of the need for the widest possible exchange of views in this  
field among Governments, specialized agencies, organizations of indigenous  
peoples and other non-governmental organizations,

Recommends the following draft resolution to the Economic and Social  
Council for adoption:

[For the text, see chap. I, sect. A, draft resolution IV.]

52nd meeting  
8 March 1988

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

1988/49. Draft declaration of principles on the  
rights of indigenous populations

The Commission on Human Rights

Recommends the following draft resolution to the Economic and Social  
Council for adoption:

[For the text, see chap. I, sect. A, draft resolution V.]

52nd meeting  
8 March 1988

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



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 resolution 1987/53 of 11 March 1987 on the situation of human rights in Guatemala,

Having considered the report of the Expert, Mr. Héctor Gros Espiell (E/CN.4/1988/42), and endorsing his conclusions and recommendations (paras. 56-59 of the report),

Taking into account the fact that the constitutional Government of Guatemala has made considerable efforts to guarantee the full application of human rights and fundamental freedoms and to promote the process of consolidation of democracy, and has made progress in that field, as shown by the Expert in his report,

Considering that the United Nations should be prepared to consider providing assistance to any nation in developing and ensuring respect for human rights, if its Government so requests,

Considering that it is desirable to continue to provide advisory services in the field of human rights in Guatemala, in support of the Government's efforts to ensure full respect for human rights and fundamental freedoms in that country,

1. Expresses its gratitude to the Expert for his report and for the manner in which he has discharged his mandate;
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 Expert;
3. Notes with satisfaction that the Government of Guatemala is prepared to guarantee the protection of human rights and fundamental freedoms in that country;
4. Expresses the view that the obligation to promote and protect human rights and fundamental freedoms calls not only for measures to guarantee the protection of human rights and fundamental freedoms, but also for measures to prevent effectively any violation of those rights;

5. Appeals to the Government of Guatemala to accord priority to the implementation of such measures;

6. Welcomes with satisfaction the interest shown by the Government of Guatemala in continuing its co-operation with the Commission on Human Rights;

7. 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, in accordance with the recommendations contained in the Expert's report in the framework of the proposals contained in the report of the Secretary-General on the question (E/CN.4/1988/40 and Add.1);

8. Decides to request the Secretary-General to renew the mandate of the Expert for one year, and requests the Expert to submit a report to the Commission at its forty-fifth session.

52nd meeting  
8 March 1988

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

1988/51. Assistance to Haiti in the field of human rights

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 the Governments of all Member States are required to promote and protect human rights and fundamental freedoms,

Referring to its resolution 1987/13 of 2 March 1987, in which it 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,

Having examined the report of the Expert (E/CN.4/1988/38),

Bearing in mind the development of events in Haiti during the past two years, including the violence perpetrated on the occasion of the elections of 29 November 1987, but also the establishment of a civil Government on 7 February 1988,

Noting also that that civil Government has expressed its determination to restore the enjoyment of human rights and fundamental freedoms,

Considering that the United Nations should be prepared to envisage assisting any nation which is going through a delicate and difficult stage on the path to development and consolidation of democracy, if that nation so requests, in order to contribute to respect for human rights and fundamental freedoms,

Considering that it is appropriate to continue to offer Haiti advisory services in the field of human rights,

Concerned about the situation of human rights in Haiti,

1. Takes note of the report of the Expert appointed by the Secretary-General;
2. Expresses its appreciation to the Expert for his report and for the way in which he has discharged his mandate;
3. Shares the regret expressed by the Expert at having been unable, for reasons beyond his control, to travel to Haiti for the purpose of contacting the Government of Haiti;
4. Expresses the view that the obligation to promote and protect human rights and fundamental freedoms calls not only for measures to guarantee the protection of human rights and fundamental freedoms, but also for measures intended effectively to prevent any violation of those rights;
5. Invites the Government of Haiti to give priority to the implementation of such measures;
6. Takes note of the attitude displayed by the Government of Haiti towards continued co-operation with the Commission on Human Rights;
7. Requests the Secretary-General to provide such advisory services and other appropriate forms of assistance in the field of human rights as the constitutional Government of Haiti might request, in order to encourage democratic development and the strengthening of the institutions responsible for ensuring respect for human rights;
8. Decides to request the Secretary-General to extend the mandate of the Expert for one year, and requests the Expert to submit a report to the Commission at its forty-fifth session;
9. Invites the Expert to take into account in his contacts with the Government of Haiti the provisions of Commission resolution 1987/13 concerning:
  - (a) Technical assistance programmes in the field of human rights;
  - (b) The training programme for qualified Haitian nationals in areas identified by Commission resolution 1987/13;

(c) The possibility of public information programmes in the field of human rights;

10. Requests the Expert to establish direct contacts with the Government of Haiti with a view to taking any action that might be necessary for the full restoration of human rights;

11. Requests the Government of Haiti to redouble its efforts to develop full respect for human rights and fundamental freedoms, and to consider the adoption of measures in those areas where there is an attested and identified need;

12. Recommends that the Government of Haiti should give active consideration to becoming a party to the existing 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;

13. Requests the Government of Haiti to extend its co-operation with the Expert appointed by the Secretary-General;

14. Requests the Secretary-General to provide all necessary assistance to the Expert;

15. Decides to consider the report of the Expert at its forty-fifth session under the agenda item "Advisory services in the field of human rights".

52nd meeting  
8 March 1988

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

1988/52. Situation in Equatorial Guinea

The Commission on Human Rights,

Recalling its resolution 1987/36 of 10 March 1987,

Having taken note of the report of the Secretary-General (E/CN.4/1988/6),

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,

1. Recommends to the Government of Equatorial Guinea that it give active consideration to the possibility of becoming a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

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 Expert to submit to the Commission on Human Rights a report on the manner in which the Government of Equatorial Guinea intends fully to implement the plan of action and on the progress achieved to date;

4. Decides to consider the report of the Expert at its forty-fifth session.

52nd meeting

8 March 1988

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

1988/53. Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights

The Commission on Human Rights,

Recalling its resolution 1987/38 of 10 March 1987, by which it requested the Secretary-General to establish and administer a voluntary fund for advisory services and technical assistance in the field of human rights,

Noting that the Economic and Social Council, by its decision 1987/147 of 29 May 1987, endorsed that resolution,

Welcoming the establishment of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights by the Secretary-General, as authorized, and his appeal of 16 November 1987 to Governments, intergovernmental and non-governmental organizations for contributions to the Fund,

Noting with satisfaction that several Governments and a non-governmental organization have already responded favourably to this appeal,

Taking note with appreciation of the report of the Secretary-General on the establishment of the Voluntary Fund (E/CN.4/1988/40, paras. 20-25),

1. Expresses its appreciation to the Secretary-General for the establishment of the Voluntary Fund;

2. Also expresses its appreciation to those Governments and non-governmental organizations that have already made financial contributions to the Voluntary Fund;
3. 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 Voluntary Fund;
4. Emphasizes that the objective of the Voluntary 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;
5. Recommends that activities under the Voluntary Fund should be directed towards expert assistance to Governments with a view to creating and developing the necessary infrastructures to meet international human rights standards;
6. Requests the Secretary-General to start operations under the Voluntary Fund within the resources already available;
7. Recommends that the Secretary-General consider for financing and implementation through the Voluntary Fund those projects and programmes which can play a catalytic role in the practical realization of internationally recognized human rights standards;
8. 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 Voluntary Fund of providing advisory services and technical assistance to Governments at their request;
9. Encourages Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services and technical assistance in the field of human rights;
10. Requests the Secretary-General to report to the Commission on Human Rights annually on the operation and administration of the Voluntary Fund as part of his annual report on advisory services in the field of human rights.

52nd meeting  
8 March 1988

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

1988/54. 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, and its resolutions 1986/52 of 13 March 1986 and 1987/37 and 1987/38 of 10 March 1987,

Taking note with appreciation of the report of the Secretary-General (E/CN.4/1988/40 and Add.1) on the activities carried out within the framework of the programme of advisory services and on the establishment of the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights,

Noting with appreciation that a regional training course for the Asian and Pacific Region was held at Bangkok from 12 to 23 October 1987 on the teaching of human rights,

Noting with appreciation that a subregional training course for Spanish-speaking countries in Central America and the Caribbean was held at San José, Costa Rica, from 23 November to 4 December 1987 on the preparation and presentation of national reports pursuant to United Nations conventions on human rights,

Noting further that a similar subregional training course for government officials from English-speaking African countries was held at Lusaka from 9 to 20 November 1987,

Noting that 39 States receiving aid from the United Nations Development Programme have indicated their specific need for advisory services and technical assistance in the legal field (E/CN.4/1988/40/Add.1),

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 with a view to enabling them to develop the necessary infrastructure to meet international human rights standards,

Welcoming, therefore, the outline for a medium-term plan of activities for a developed advisory services programme contained in the report of the Secretary-General (E/CN.4/1988/40), in particular the subprogramme on practical assistance in the creation and development of national infrastructures for the promotion and protection of internationally recognized human rights norms and assistance to Governments in this respect,

1. Reaffirms that the programme of advisory services in the field of human rights should continue to provide practical assistance in the implementation of international conventions on human rights to those States which indicate a need for such assistance;

2. Requests the Secretary-General to pursue his efforts for a medium-term plan for advisory services and technical assistance in the field of human rights, taking into account the comments and views expressed by Governments at the forty-fourth session of the Commission on Human Rights;

3. Recommends to the Secretary-General that increasing emphasis should be placed on expert assistance and on activities to assist Governments in the development of the necessary infrastructures to meet international human rights standards;

4. Welcomes the efforts by the Secretary-General to undertake restructuring within the Centre for Human Rights in order to provide fresh impetus and effective management for the provision of advisory services in all their aspects;

5. Requests the Secretary-General to ensure that the Centre for Human Rights becomes a focal point for the co-ordination, as appropriate, within the United Nations, of the activities for the provision of advisory services in all their aspects;

6. Requests the Secretary-General to ensure close co-ordination between the activities of the regular programme of advisory services and those of the Voluntary Fund;

7. Also requests the Secretary-General to bring the need for further technical assistance in the legal field that has been indicated by a number of States to the attention of the United Nations bodies and agencies that are active in providing assistance in the field of development;

8. 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;

9. 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 to be realized under the programme of advisory services;

10. 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;

11. 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;

12. 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 that indicated their need for technical assistance in the field of human rights, and requests the Secretary-General to pursue his efforts to co-ordinate and facilitate the flow of bilateral assistance in such cases;

13. Requests the Secretary-General to report to the Commission at its forty-fifth session on the progress made in the implementation of the programme for advisory services in the field of human rights.

52nd meeting

8 March 1988

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

1988/55. 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 42/97 of 7 December 1987, 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-third session,

Noting resolution 1987/33 of 4 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

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.4/1988/45 and Add.1) 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,

Noting with appreciation the study (E/CN.4/Sub.2/1987/26) of the Special Rapporteur of the Sub-Commission, Mrs. Elizabeth Odio Benito, on the current dimensions of the problems of intolerance and of discrimination on the grounds of religion or belief,

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 and to eliminate all forms of intolerance and of discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. Expresses its thanks to the Special Rapporteur, Mr. Angelo Vidal D'Almeida Ribeiro, and takes note of his report and the various views expressed thereon during the forty-fourth session of the Commission;

3. Urges States, in accordance with their respective constitutional system, and with such internationally accepted instruments as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and

of Discrimination Based on Religion or Belief, 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. 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;

5. 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;

6. Considers it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief;

7. 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;

8. 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;

9. Decides that the study of the current dimensions of the problems of intolerance and discrimination based on religion or belief by Mrs. Elizabeth Odio Benito, the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, should be published in all official languages of the United Nations and widely distributed;

10. Welcomes the many recommendations contained in the study, in particular those relating to the need for further study of major aspects of the issue, for the elaboration of a binding international instrument and for educational measures to promote tolerance, understanding and respect in matters relating to religion or belief;

11. Requests the Sub-Commission to undertake the following tasks:

(a) To prepare a compilation of provisions relevant to the elimination of intolerance and discrimination based on religion or belief contained in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and other international instruments;

(b) To examine, mindful of General Assembly resolution 41/120 of 4 December 1986, and taking into account the provisions of the existing international instruments in this field, the issues and factors which should be considered before any drafting of a further binding international instrument on freedom of religion and belief takes place;

(c) To report on the above issues to the Commission at its forty-fifth session;

12. Decides to extend for two years 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,

13. 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, to seek the views and comments of the Government concerned on any information which he intends to include in his report and to carry out his work with discretion and independence;

14. Calls upon Governments which have not done so to co-operate with the Special Rapporteur, inter alia by responding expeditiously to requests for such views and comments;

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-fifth session;

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

17. Decides to continue its consideration of this matter at its forty-fifth 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".

52nd meeting  
8 March 1988

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

1988/56. Study on the significance of treaties, agreements and other constructive arrangements for the promotion and protection of the human rights and fundamental freedoms of indigenous populations

The Commission on Human Rights,

Having considered the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session (E/CN.4/1988/37 and Corr.1), in particular Sub-Commission resolution 1987/17 of 2 September 1987,

Bearing in mind the mandate of the Sub-Commission's Working Group on Indigenous Populations, under Economic and Social Council resolution 1982/34 of 7 May 1982, to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations and to give special attention to the evolution of standards concerning the rights of indigenous populations,

Reaffirming its endorsement of Sub-Commission resolution 1985/22 of 29 August 1985 and of the decision of the Working Group on Indigenous Populations to emphasize standard-setting activities, with the aim of producing a draft declaration on indigenous rights which may be proclaimed by the General Assembly,

Mindful that a study on indigenous treaties, as proposed by the Sub-Commission in its resolution 1987/17, would benefit from a thorough examination of the relevant views of all Governments and other interested parties potentially involved in such a study,

1. Recommends to the Economic and Social Council that it authorize the appointment of Mr. Miguel Alfonso Martínez as Special Rapporteur of the Sub-Commission with the mandate of preparing an outline on the possible purposes, scope and sources of a study to be conducted on the potential utility of treaties, agreements and other constructive arrangements between indigenous populations and Governments for the purpose of ensuring the promotion and protection of the human rights and fundamental freedoms of indigenous populations;

2. Requests the Special Rapporteur to prepare this outline, giving particular attention to the ongoing development of universally relevant standards and the need to develop innovative, forward-looking approaches to relationships between indigenous populations and Governments taking into account the socio-economic realities of States and the inviolability of their sovereignty and territorial integrity;

3. Further requests the Special Rapporteur to submit this outline to the Sub-Commission for consideration by the Working Group on Indigenous Populations at its sixth session, together with the views expressed by Governments and other parties interested in the study;

4. Requests the Secretary-General to bring the present resolution, the above-mentioned outline and the deliberations of the Sub-Commission thereon to the attention of Governments, specialized agencies and non-governmental organizations, including indigenous organizations, with a view to obtaining comments in advance of the forty-fifth session of the Commission;

5. Decides to consider further the purposes, scope and sources of the proposed study at its forty-fifth session in the light of the mandate of the Working Group on Indigenous Populations and taking into account the aforementioned contributions and deliberations of the Special Rapporteur, the Sub-Commission, interested Governments, specialized agencies and non-governmental organizations.

54th meeting  
9 March 1988

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

1988/57. Traditional practices affecting the health of women and children

The Commission on Human Rights,

Bearing in mind its resolution 1984/48 of 13 March 1984 on the question of traditional practices affecting the health of women and children,

Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its fortieth session, to consider measures to be taken at the national and international levels to eliminate such practices, and to submit a report to the Commission at its forty-sixth session.

54th meeting  
9 March 1988

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

1988/58. Proposal to proclaim an international year of the world's indigenous populations

The Commission on Human Rights,

Recalling the recommendation of the Special Rapporteur, Mr. José R. Martínez Cobo, in his study of the problem of discrimination against indigenous populations, that an international year of the world's indigenous populations should be proclaimed,

Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution VI.]

54th meeting  
9 March 1988

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

1988/59. Use of scientific and technological developments for the promotion and protection of human rights and fundamental freedoms

The Commission on Human Rights,

Recalling its resolutions 1983/41 of 9 March 1983, 1984/27 of 12 March 1984 and 1986/9 of 10 March 1986,

Recalling once again the relevant provisions of the Proclamation of Teheran and the relevant resolutions of the General Assembly and the Commission on Human Rights concerning human rights and scientific and technological developments,

Convinced of the paramount importance of the application of science and technology to economic and social progress and to the promotion and enjoyment of human rights and fundamental freedoms,

Recognizing the need to extend the benefits of science and technological developments to the developing countries,

Noting that various useful studies have been undertaken by United Nations bodies in accordance with General Assembly resolution 2450 (XXIII) of 19 December 1968 and subsequent resolutions with respect to human rights issues arising from developments in science and technology,

Recognizing that the effects of scientific and technological developments on human rights and fundamental freedoms have both beneficial and harmful aspects and therefore must be examined in their totality,

Expressing its conviction that it would be useful to undertake a study on the most effective ways and means of using the results of scientific and technological developments for the promotion and realization of human rights and fundamental freedoms,

Taking into account the reports of the Secretary-General prepared in accordance with Commission resolutions 1983/41 and 1984/27 (E/CN.4/1984/33 and Add.1 and 2, E/CN.4/1986/27 and Corr.1 and Add.1),

1. Welcomes the preliminary report submitted by the United Nations University pursuant to Commission resolution 1986/9 (E/CN.4/1988/48), in particular the future research ideas described therein;

2. Invites the United Nations University, in co-operation with other interested academic and research institutions, to continue to study both the positive and the negative impact of scientific and technological developments on human rights and fundamental freedoms, and expresses the hope that the United Nations University will inform the Commission on Human Rights at its forty-sixth session of the results of its study on the question.

54th meeting

9 March 1988

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

1988/60. Human rights and scientific and technological developments

The Commission on Human Rights,

Reaffirming the determination of the peoples of the United Nations to save succeeding generations from the scourge of war, to reaffirm faith in the dignity and worth of the human person, to maintain international peace and security and to develop friendly relations among peoples and international co-operation in promoting and encouraging universal respect for human rights and fundamental freedoms,

Recalling the relevant provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Recalling also the Charter of Economic Rights and Duties of States and the Declaration and the Programme of Action on the Establishment of a New International Economic Order,

Recalling further the Declaration on the Strengthening of International Security, the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, the Declaration on the Preparation of Societies for Life in Peace, the Declaration on the Prevention of Nuclear Catastrophe and the Declaration on the Right of Peoples to Peace, as well as General Assembly resolutions 36/92 I of 9 December 1981 on the non-use of nuclear weapons and prevention of nuclear war and 37/100 C of 13 December 1982 and 38/73 G of 15 December 1983 on a convention on the prohibition of the use of nuclear weapons,

Bearing in mind that, in its resolution 38/75 of 15 December 1983, the General Assembly resolutely, unconditionally and for all time condemned nuclear war as being contrary to human conscience and reason, as the most monstrous crime against peoples and as a violation of the foremost human right - the right to life,



Noting General Assembly resolutions 37/189 A and B of 18 December 1982, 38/113 of 16 December 1983, 40/111 of 13 December 1985 and 42/99 of 7 December 1987, and recalling its own resolutions 1982/7 of 19 February 1982, 1983/43 of 9 March 1983, 1984/28 of 12 March 1984 and 1986/10 of 10 March 1986,

Profoundly concerned that international peace and security continue to be threatened by the arms race in all its aspects, particularly the nuclear arms race, as well as by violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and the self-determination of peoples,

Recalling the historic responsibility of the Governments of all countries of the world to remove the threat of war from the lives of people, to preserve civilization and to ensure that everyone enjoys his inherent right to life,

Conscious that peoples want to live in a better and more equitable world based on recognition of the priority of the values common to all mankind,

Bearing in mind that, in accordance with the International Covenant on Civil and Political Rights, any propaganda for war shall be prohibited by law,

Recalling that thoughts of war appear in the minds of people and that it is therefore essential to make people increasingly aware of the ideals of peace,

Convinced of the need to intensify efforts to foster the spirit of mutual respect, understanding and confidence and to combat attempts to incite enmity, hatred and intolerance and to impose "enemy image" stereotypes,

Convinced also that all the rights and freedoms, as well as the material and spiritual wealth that both man and nations possess, have a common foundation - the right to life and to a secure future in peace and freedom,

Conscious that the widening availability of technology and scientific and technical advances, bringing new possibilities for peaceful and productive enterprise, open new perspectives for the progress of civilization and provide increasing opportunities to better the conditions of life of peoples and nations, but at the same time present new dangers if used for the creation of new types of deadly weapons, which are already able to transform an armed conflict from human tragedy to human annihilation,

Conscious that it is only the creative genius of man that makes progress and the development of civilization possible in a peaceful environment, and that human life must be recognized as supreme,

Reaffirming the inherent right to life,

1. Reaffirms that all peoples and all individuals have an inherent right to life and that the safeguarding of this cardinal right is an essential condition for the enjoyment of the entire range of economic, social and cultural as well as civil and political rights;
2. Stresses once again the urgent need for the international community to make every effort to strengthen peace, remove the growing threat of war, particularly nuclear war, halt the arms race and achieve general and complete disarmament under effective international control, and prevent violations of the principles of the Charter of the United Nations regarding the sovereignty and territorial integrity of States and the self-determination of peoples, thus contributing to ensuring the right to life;
3. Stresses further the foremost importance of the implementation of practical measures of disarmament for releasing substantial additional resources, which should be utilized for social and economic development, particularly for the benefit of the developing countries;
4. Calls upon all States to do their utmost to assist in implementing the right to life through the adoption of appropriate measures at both the national and the international level;
5. Calls upon all States, appropriate United Nations bodies, specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress, the material and intellectual potential of mankind, are used to solve global problems exclusively in the interests of international peace, for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;
6. Stresses that a world without nuclear weapons and violence would open vast opportunities for the joint efforts of all nations aimed at solving urgent humanitarian problems and at co-operating in the areas of science, education, medicine, arts and others, thus guaranteeing the necessary conditions for the harmonious development of the individual;
7. Again calls upon all States that have not yet done so to take effective measures with a view to prohibiting any propaganda for war, in particular the formulation, propounding and dissemination of propaganda for doctrines and concepts aimed at unleashing nuclear war;
8. Emphasizes the importance of overcoming prejudices based on intolerance, hatred and "enemy image" stereotypes;
9. Calls upon Governments, intergovernmental and non-governmental organizations and the public in all countries to intensify their efforts with a view to strengthening mutual understanding and trust in relations among peoples and States and educating people in the spirit of peace, humanism and respect for the values common to all mankind;

10. Requests the Secretary-General, in the light of the comments and views of Member States, to submit a report on the implementation of the present resolution to the Commission at its forty-sixth session;

11. Decides to consider this question at its forty-sixth session under the agenda item "Human rights and scientific and technological developments".

54th meeting

9 March 1988

[Adopted by a roll-call vote of 30 to 9, with  
4 abstentions. See chap. XV.]

1988/61. Human rights and scientific and technological developments

The Commission on Human Rights,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Recalling once again the great importance of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly in its resolution 3384 (XXX) of 10 November 1975,

Considering that the implementation of the Declaration contributes to the strengthening of international peace and security of peoples and to their economic and social development, as well as to international co-operation in the field of human rights,

Realizing that modern science and technology make it possible to provide an abundance of wealth on Earth and establish material conditions for the prosperity of society as well as the all-round development of every person,

Seriously concerned that the results of scientific and technological progress could be used for the arms race and the development of new destructive weapon systems to the detriment of international peace and security and social progress, human rights and fundamental freedoms and the dignity of the human person,

Emphasizing the growing importance of intellectual work, interaction between science, technology and society, and the humanistic, moral and ethical orientation of science and of scientific and technological progress,

Convinced that in the era of modern scientific and technological progress the resources of mankind and the activities of scientists should be used for the peaceful economic, social and cultural development of all countries and for the improvement of the living standards of all peoples,

Recognizing that the establishment of the new international economic order calls, in particular, for a contribution to be made by science and technology to economic and social progress,

Bearing in mind that the exchange and transfer of scientific and technological knowledge is one of the main ways to accelerate the social and economic development of the developing countries,

1. Stresses the importance of the implementation by all States of the provisions and principles contained in the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind;

2. Calls upon all States to make the necessary efforts to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress and to put an end to the use of these achievements for military purposes;

3. Also calls upon all States to take the necessary measures to ensure that the achievements of science and technology are placed at the service of mankind and do not lead to the degradation of the ecological environment;

4. Requests once again the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake as a matter of priority a study on the use of the achievements of scientific and technological progress to ensure the right to work and development;

5. Decides to consider that study as a matter of priority at its forty-sixth session under the agenda item "Human rights and scientific and technological developments".

54th meeting

9 March 1988

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

1988/62. Draft body of guidelines, principles and guarantees of the rights of persons detained on grounds of mental ill-health or suffering from mental disorder

The Commission on Human Rights,

Mindful of the provisions of the Universal Declaration on Human Rights and of the International Covenant on Civil and Political Rights relating to the humane treatment of all persons,

Further mindful of 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,

Recalling its resolution 10 A (XXXIII) of 11 March 1977, by which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study the question of the protection of persons detained on the grounds of mental ill-health, with a view to formulating guidelines,

Expressing once again deep concern at the repeated evidence of the misuse of psychiatry to detain persons on non-medical grounds, as reflected in the report of the Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1983/17 and Add.1),

Reaffirming its conviction that the detention of persons in mental institutions on account of their political views or on other non-medical grounds is a violation of their human rights,

Reaffirming also its resolution 1986/12 of 10 March 1986,

Taking note of Sub-Commission resolution 1987/22 of 3 September 1987,

Expressing its appreciation and thanks to the Sub-Commission's working group on the question of persons detained on the grounds of mental ill-health or suffering from mental disorder,

Noting, however, that because the working group of the Sub-Commission has made only limited progress so far, the Sub-Commission is still far from concluding its consideration of the draft body of guidelines, principles and guarantees,

Taking into consideration General Assembly resolutions 41/114 of 4 December 1986 and 42/98 of 7 December 1987, in which the Assembly urged the Commission and, through it, the Sub-Commission to expedite their consideration of the draft body of guidelines, principles and guarantees,

1. Reiterates the urgent need for principles and guidelines to prevent the misuse of psychiatry and to safeguard the rights of all individuals;

2. Invites States Members of the United Nations, pending the adoption of a body of principles, guidelines and guarantees, to adhere to the existing standards set out in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and to take such steps as may be necessary to protect the rights of all those persons detained on grounds of mental ill-health or suffering from mental disorder;

3. Requests the Sub-Commission:

(a) To attach much greater emphasis at its fortieth session to the working group and its drafting assignments;

(b) To complete the work on the draft body of guidelines, principles and guarantees as a matter of urgency at its fortieth session;

(c) To take account of the paper presented by the World Health Organization (E/CN.4/1988/66) and to submit it to the working group for consideration;

4. Requests the Secretary-General to give the working group any assistance necessary to complete its important work.

54th meeting

9 March 1988

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

1988/63. 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

The Commission on Human Rights,

Recalling the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity and other relevant international instruments,

Noting with regret that in the contemporary world there continue to exist various forms of totalitarian ideologies and practices which entail contempt for the individual or a denial of the intrinsic dignity and equality of all human beings and of equality of opportunity in the civil, political, economic, social and cultural spheres,

Emphasizing that the doctrines of racial or ethnic superiority on which the totalitarian entities and régimes are based contradict the spirit and principles of the United Nations and that the application of such doctrines in practice leads to wars, mass and flagrant violations of human rights and crimes against humanity, such as genocide, and creates serious obstacles to friendly relations among nations and the development of all countries,

Mindful of the principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity that are set forth in General Assembly resolution 3074 (XXVIII) of 3 December 1973,

Acknowledging with satisfaction the fact that many States have established legal provisions designed to prevent the revival of Nazi, Fascist and neo-Fascist groups and organizations and are extraditing war criminals and persons having committed crimes against mankind,

Recalling its resolution 1986/61 of 13 March 1986,

Recalling also resolution 1987/4 of 31 August 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. Again resolutely condemns 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;

2. Expresses its determination to resist all totalitarian ideologies, and especially their practices, which deprive people of basic human rights and fundamental freedoms and of equality of opportunity;

3. Considers that the pursuit of totalitarian ideologies and practices represents a serious threat to the exercise of the fundamental human rights, including the right to life, liberty and security of person;

4. Considers further that free and widespread participation by all levels of the population in democratic institutions based on respect for the human rights proclaimed in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international instruments is one of the most effective forms of defence against all totalitarian ideologies;

5. Calls upon all States to take the necessary measures to ensure the thorough investigation and the detection, arrest, extradition and punishment of all war criminals and persons guilty of crimes against humanity who have not yet been brought before a court and appropriately punished;

6. Calls upon all Governments, the appropriate specialized agencies and intergovernmental and international non-governmental organizations to intensify measures against all the ideologies and practices described in paragraphs 1 and 2 above;

7. Calls also upon all Governments to pay constant attention to educating the young in the spirit of respect for international law and fundamental human rights and freedoms and against Fascist, neo-Fascist and other totalitarian ideologies and practices based on terror, hatred and violence;

8. Decides to include in the provisional agenda of its forty-sixth session an item entitled "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".

55th meeting

10 March 1988

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

1988/64. 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, 1986/60 of 13 March 1986 and 1987/47 of 10 March 1987,

Noting 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 (E/CN.4/1988/36),

1. Decides to consider at its forty-fifth session the agenda item "Rights of persons belonging to national, ethnic, religious and linguistic minorities";

2. Decides to establish at its forty-fifth 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 two weeks of the forty-fifth 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.

55th meeting

10 March 1988

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



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,

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,

Having regard to resolution 42/137 of 7 December 1987, in which the General Assembly requested the Commission on Human Rights at its forty-fourth session to consider the situation of human rights in El Salvador and the mandate of its Special Representative, taking into account the evolution of the situation of human rights in El Salvador and the developments linked to the fulfilment of the Guatemala agreement,

Bearing in mind its resolution 32 (XXXVII) of 11 March 1981, in which it 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, 1986/39 of 12 March 1986 and 1987/51 of 11 March 1987, whereby it extended the mandate of the Special Representative for another year, requesting him to report to the General Assembly at its forty-second session and to the Commission on Human Rights at its forty-fourth session,

Considering that there is an armed conflict of a non-international character in El Salvador in which the parties involved 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 Geneva Conventions of 1949 and in Additional Protocol II thereto of 1977,

Noting 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,

Concerned, however, that, as indicated by the Special Representative in his report, violations of human rights are continuing in El Salvador,

Recalling that on 7 August 1987 the Central American Governments signed in Guatemala the agreement on "Procedure for the establishment of a firm and lasting peace in Central America", (see A/42/521-S/19085, annex) thus manifesting the political will and good faith to fulfil its provisions in order to achieve peace and stability in the region,

Convinced that fulfilment by the Government of El Salvador of the commitments assumed in the Guatemala agreement and implementation of those as yet unfulfilled will contribute to the promotion, respect and realization of human rights and fundamental freedoms in that country,

Deeply concerned at the standstill in the dialogue between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario, the resumption of which within the framework of the Guatemala agreement constitutes one of the best ways of achieving a solution that will help to improve the human rights situation of the Salvadorian people,

Aware that a negotiated political solution of the Salvadorian conflict based on concertation and dialogue can be cut short if external forces do not support the resumption of the dialogue but instead seek in different ways to spur the prolongation or intensification of the war, with ensuing grave effects on the situation of human rights and the possibilities of economic recovery in El Salvador,

Bearing in mind the praiseworthy humanitarian work carried out in El Salvador by the International Committee of the Red Cross,

Convinced of the urgent need for the measures adopted to resolve the problem of refugees and of internal displaced persons to permit the full reintegration of the latter in their communities of origin,

1. Commends the Special Representative for his report on the situation of human rights in El Salvador (E/CN.4/1988/23);

2. Recognizes with interest and emphasizes that it is significant that the Special Representative has indicated in his report that the question of respect for human rights is an important part of the policy of the Government of El Salvador, which is achieving increasingly significant and commendable results;

3. Takes note, also, of the fact that the Special Representative refers in his report, among efforts to strengthen respect for human rights, to his understanding "that the FMLN-FDR is associating itself with the proposals concerning democratization and respect for human rights set out in the Esquipulas document";

4. Expresses its deep concern, notwithstanding the progress made, at the fact that, as mentioned by the Special Representative in his report, serious and numerous violations of human rights continue to take place in El Salvador;

5. Expresses its concern at the harassment which humanitarian groups have been suffering at the hands of the death squads, despite the persistent efforts of the Government, and trusts that the authorities of El Salvador will continue their investigations aimed at clarifying and punishing all these violations, particularly those committed against members of governmental and non-governmental organizations defending human rights;

6. Draws attention to the continued unsatisfactory capacity of the judicial system in El Salvador to investigate, prosecute and punish violations of human rights and therefore urges the competent authorities to hasten the adoption of the necessary reforms and measures for ensuring its efficiency;

7. Calls upon the Salvadorian Government and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario to do their utmost in implementing 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;

8. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario to renew the dialogue, within the framework of the Guatemala agreement, until the achievement of a global political solution that will end the armed conflict and promote the broadening and strengthening of a democratic, pluralistic and participatory process that will involve the promotion of social justice, respect for human rights and the full exercise of the right of the Salvadorian people to determine freely and without external interference of any kind its economic, political and social system;

9. 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;

10. Recommends the continuation and broadening of the reforms necessary in El Salvador 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, which have been aggravated by the effects of the world economic crisis and by adverse natural phenomena;

11. Requests the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario, with the intention of humanizing the conflict, to continue to apply the agreements for the evacuation of war-wounded for medical attention unaffected by new changes and negotiations;

12. Recognizes the efforts of the Government of El Salvador to solve the problem of the voluntary repatriation of refugees and of internal displaced persons, and encourages it to continue to grant them facilities to enable them to return to their homes;

13. Requests the competent bodies of the United Nations to provide any advice and assistance that the Government of El Salvador may require in order to enhance the promotion and protection of human rights and fundamental freedoms;

14. Decides to keep the human rights situation in El Salvador under review at its forty-fifth session;

15. Decides to extend the mandate of the Special Representative for another year and, provided the human rights situation in El Salvador continues to improve, to review and consider a positive modification of the mandate at its forty-fifth session in the light of the progress made;

16. 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-third session and to the Commission on Human Rights at its forty-fifth session.

55th meeting  
10 March 1988

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

1988/66. Situation of human rights in southern Lebanon

The Commission on Human Rights,

Gravely concerned by the continuation of the 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,

Recalling its deep regret at Israel's failure to implement Security Council resolutions 425 (1978) of 19 March 1978 and 509 (1982) of 6 June 1982,

Also 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, 1986/43 of 12 March 1986 and 1987/54 of 11 March 1987,

1. Strongly condemns Israel's persistence in violating human rights 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 assisting Israel politically, economically and militarily to exert adequate pressures on the Government of Israel to put an end to its aggressive and expansionist policy in southern Lebanon;

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-third session and to the Commission on Human Rights at its forty-fifth 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-fifth session.

55th meeting

10 March 1988

[Adopted by a roll-call vote of 26 to 1, with  
15 abstentions. See chap. XII.]

1988/67. 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 relevant resolutions, in particular 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 situation of human rights in Afghanistan,

Recalling also the relevant resolutions of the General Assembly and the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling in particular its resolution 1987/58 of 11 March 1987 and Economic and Social Council decision 1987/151 of 29 May 1987, by 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 final report (E/CN.4/1988/25) of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan which, while recognizing some improvements in some aspects of the human rights situation in Afghanistan, reveals continuing grave and massive violations of fundamental human rights in that country,

Recognizing that a situation of armed conflict continues to exist in Afghanistan, leaving large numbers of victims without protection or assistance, and that the duration of the conflict increases the seriousness of the *gross and systematic violations of human rights* already existing in the country,

Welcoming the resumption of the activities of the International Committee of the Red Cross in Afghanistan,

Welcoming the statements of willingness to withdraw the foreign troops from Afghanistan, while stressing that at the same time measures must be taken to ensure respect for human rights as well as peace and stability in Afghanistan, which would also enable the refugees to return to their homes in safety and with dignity,

1. Commends the efforts of the Special Rapporteur to fulfil his mandate and takes note of his final report on the question of human rights and fundamental freedoms in Afghanistan;

2. Welcomes the co-operation provided by the Afghan authorities to the Special Rapporteur in permitting him access to facilities for conducting his investigation in Afghanistan;

3. Takes note of the opinion of the Special Rapporteur that the human rights situation in certain areas has improved as compared with the situation described in previous reports;

4. Expresses however its deep distress and continuing alarm that the Special Rapporteur continues to report violations of the right to life, liberty and security of person as well as of the right to freedom of expression, freedom of assembly, freedom of movement and freedom of association;

5. Expresses its deep concern about the large number of persons detained without due process of law for seeking to exercise their fundamental human rights and their detention under conditions contrary to internationally recognized minimum standards, while noting a reduction in the number of political prisoners and the release of some prisoners as a result of limited amnesties;

6. Expresses also its deep concern that there are still reliable reports of torture under interrogation and killing of political prisoners;

7. Notes with great concern that such widespread violations of human rights, which have already caused millions of people to flee their homes and country, continue to cause large flows of refugees and displaced persons;

8. Expresses once again its deep concern that the Afghan authorities, with heavy support from foreign troops, are acting with great severity against their opponents and suspected opponents, in a manner contravening humanitarian law, without any respect for the international human rights obligations that they have assumed;

9. Expresses its grave concern at the intensification of the armed conflict, which is causing death and material destruction, leading to brutalities and to maltreatment of prisoners and which, in particular, has severe consequences for the civilian population, with rising numbers of wounded and dead as well as the destruction of houses, mosques, livestock and crops;

10. Also 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;

11. Continues to note 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 traditions and convictions;

12. Urges that all necessary measures be taken to ensure the full enjoyment of human rights and fundamental freedoms in Afghanistan;

13. Calls once again upon the parties to the conflict, in order to alleviate the suffering of the people of Afghanistan, to apply fully the principles and rules of international humanitarian law;

14. Urges the authorities in Afghanistan to continue to extend their co-operation to the Commission on Human Rights and its Special Rapporteur;

15. 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-third session and to the Commission on Human Rights at its forty-fifth session on the question of human rights and fundamental freedoms in Afghanistan;

16. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

17. Decides to continue its consideration of the human rights situation in Afghanistan as a matter of high priority at its forty-fifth session.

55th meeting  
10 March 1988

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

#### 1988/68. 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, 1986/42 of 12 March 1986 and 1987/57 of 11 March 1987,

Recalling also Economic and Social Council resolution 1987/60 of 29 May 1987 and General Assembly resolution 42/141 of 7 December 1987 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 VII.]

55th meeting  
10 March 1988

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



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,

Reaffirming its relevant resolutions, as well as those of the General Assembly and the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling, in particular, its resolution 1987/55 of 11 March 1987, 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-second session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups, such as the Bahá'is, and on 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,

Noting the importance which the Special Representative attaches to the discussion and clarification of the question of the compatibility of Islamic law with international law,

Endorsing the conclusion of the Special Representative that the obligations acquired by the Islamic Republic of Iran as a State Member of the United Nations and as a party to the two International Covenants on Human Rights are fully binding and do not admit exceptions on account of constitutional problems, rules and regulations of municipal law, or cultural or historical background,

Taking note of the appreciation expressed by the Special Representative for the co-operation of the Government of the Islamic Republic of Iran, and supporting his expressed hope that this co-operation will reach the level of full co-operation in the near future, in compliance with the successive resolutions of the General Assembly and the Commission on Human Rights,

Noting the Special Representative's conviction that the persons appearing before him described violations that certainly happened to them and that their declarations were convincing,

Further taking note of the conclusion of the Special Representative that circumstantiated official replies to communications alleging violations of human rights would contribute to a better understanding and evaluation of the situation regarding human rights and would inform the international community

of the concrete views of the Government of the Islamic Republic of Iran as well as of the result of the investigation of specific cases, and that these replies would be an important element of the full co-operation required by the Commission on Human Rights,

Reiterating its concern, none the less, that the co-operation extended to the Special Representative has not reached the level that the General Assembly and the Commission on Human Rights have consistently requested in their resolutions concerning this matter,

1. Takes note with appreciation of the report of the Special Representative (E/CN.4/1988/24);
2. Notes that the Special Representative observes that the problem concerning the medical profession appears to have been solved;
3. Welcomes the pardoning of prisoners and shares the Special Representative's hope that this may be the first stage of a process leading to a general amnesty for political prisoners;
4. Notes with satisfaction the information according to which recent releases of prisoners have taken place;
5. Expresses again its deep concern about the numerous and detailed allegations of grave human rights violations in the Islamic Republic of Iran to which the Special Representative has referred 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;
6. Expresses its grave concern, in particular, that, although the Special Representative indicates that the number of alleged violations of the right to life has diminished over the past two years, information made available to him alleges the execution of some 100 persons in the period October 1986-September 1987 because of their political and religious convictions, and draws attention to the list of names annexed to the report;
7. Expresses its deep concern at allegations that maltreatment and torture, both physical and psychological, are common in Iranian prisons during interrogation and before and after the final verdict, and at the existence of extremely summary and informal proceedings, the unawareness of defendants of specific accusations, the lack of legal counsel and other irregularities in respect to fair trial;

8. Shares the opinion of the Special Representative that the denial by the Government of the Islamic Republic of Iran of the allegations of violations of human rights as a whole, without details, is not sufficient for a sensible assessment of the situation of human rights in that country;

9. Endorses the conclusion of the Special Representative that acts continue to occur in the Islamic Republic of Iran that are inconsistent with international instruments by which the Government of that country is bound and that the situation of human rights in the Islamic Republic of Iran justifies continuing international concern, study and constant monitoring by the competent organs of the United Nations;

10. 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;

11. Decides to extend the mandate of the Special Representative, as contained in its resolution 1984/54 of 14 March 1984, for a further year;

12. Requests the Special Representative to present an interim report to the General Assembly at its forty-third 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-fifth session;

13. 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;

14. Requests the Secretary-General to give all necessary assistance to the Special Representative of the Commission;

15. 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-fifth session.

55th meeting  
10 March 1988

[Adopted by a roll-call vote of 20 to 5, with  
14 abstentions. See chap. XII.]

1988/70. 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 and displaced persons, 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 in parallel with the provision of durable solutions to actual refugee situations,

Taking note once again of 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 Governmental Experts on International Co-operation to Avert New Flows of Refugees,

Recalling the 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, 41/148 of 4 December 1986, and 42/144 of 7 December 1987, 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, 1986/45 of 12 March 1986 and 1987/56 of 11 March 1987;

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. Recalls 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 world-wide 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 and displaced persons;

5. Renews its request to the Secretary-General to inform the General Assembly at its forty-third 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-fifth session of any developments concerning the efforts being made 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 question of human rights and mass exoduses at its forty-fifth session.

55th meeting

10 March 1988

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

1988/71. 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 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 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 resolutions 1986/44 of 12 March 1986 and 1987/52 of 11 March 1987, in which the progress achieved by the working group at its first and second meetings was noted,

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 with satisfaction the progress made and the satisfactory drafting undertaken by the open-ended working group both during its one-week meeting prior to the forty-fourth session of the Commission and in meetings held in the first week of the Commission's session,

1. Decides to continue at its forty-fifth session 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 at its previous sessions;

2. Decides also to make available during the forty-fifth session of the Commission appropriate meeting time for the working group, preferably during the first two weeks of the session;

3. Decides to consider the question under a separate agenda item at its forty-fifth and future sessions, in accordance with previous standard-setting practice in the Commission, the item to be entitled "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";

4. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution VIII.]

55th meeting  
10 March 1988

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

1988/72. National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling its relevant resolutions and those of the General Assembly concerning national institutions for the promotion and protection of human rights, notably General Assembly resolution 42/116 of 7 December 1987,

Stressing the importance of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments for promoting respect for, and observance of, human rights and fundamental freedoms,

Affirming that priority should be accorded to the development of appropriate arrangements at the national level to ensure the effective implementation of international human rights standards,

Convinced of the significant role that such institutions at the national level can play in protecting and promoting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations can play a catalytic role in assisting the development of national institutions by acting as a clearing-house for the exchange of information and experience,

Mindful in this regard 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,

Welcoming the holding at Geneva, under the auspices of the United Nations, of the seminar on the experience of different countries in the implementation of international standards on human rights, from 20 June to 1 July 1983, and the seminar on community relations commissions and their functions, from 9 to 20 September 1985, and other current United Nations initiatives to combat racial discrimination,

1. Reaffirms the importance of developing, in accordance with national legislation, effective national institutions for the promotion and protection of human rights and of maintaining their independence and integrity;
2. Encourages Member States to establish or, where they already exist, to strengthen the national institutions for the promotion and protection of human rights and to incorporate these elements in national development plans;
3. Recognizes the constructive role that non-governmental organizations can play in relation to national institutions;
4. Encourages Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and operation of such national institutions;
5. Welcomes the request by the General Assembly in resolution 42/116 that the consolidated report by the Secretary-General on national institutions be updated, bearing in mind the practical needs of those engaged in the development of national institutions;

6. Invites the Secretary-General to include in his updated report all the information provided by Governments and any additional information Governments may wish to provide, with particular emphasis on the functioning of various models of national institutions in implementing international standards on human rights, as well as a list of existing national institutions, with contact points and a bibliography of relevant materials;

7. Welcomes the Assembly's request that the Secretary-General transmit the updated report, through the Commission on Human Rights and the Economic and Social Council, to the General Assembly at its forty-fourth session for wide distribution as a United Nations handbook on national institutions;

8. Affirms the role of national institutions as focal points for the dissemination of human rights materials and other public information activities under the auspices of the United Nations;

9. Encourages the development of funding and other strategies to facilitate the establishment of national human rights institutions and, in this regard, invites Member States to consider making requests for such assistance through the advisory services programme of the United Nations;

10. Requests the Secretary-General to provide all necessary assistance to Member States, upon their request, in the implementation of paragraphs 1 to 4 and 8 and 9 of the present resolution, according priority to the needs of developing countries;

11. Decides to consider this question again at its forty-fifth 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".

56th meeting

10 March 1988

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

1988/73. 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 1987/41 of 10 March 1987,



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 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.4/1988/39 and Add.1);

2. Requests the Secretary-General to continue 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. Requests the Secretary-General to ensure a continuing flow of human rights material to the library of the Economic and Social Commission for Asia and the Pacific in Bangkok for appropriate dissemination in the region;

4. 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;

5. 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;

6. Welcomes the report of the Secretary-General on the successful training course on human rights teaching held in Bangkok from 12 to 23 October 1987 under the United Nations programme of advisory services in the field of human rights (E/CN.4/1988/39/Add.1);

7. Draws attention to the summary of discussions and conclusions in the report, in particular to the need to advance both formal and informal teaching of human rights in the region, with emphasis on the identification of target groups, particularly in rural areas;

8. Takes note also of the general consensus among participants in the training course that it would be useful for the better identification of existing measures and the dissemination of materials to establish a resource library which would collect and disseminate laws, documents and other publications throughout the region;

9. Requests the Secretary-General to submit a further report to the Commission at its forty-fifth session incorporating information on progress achieved in the implementation of the present resolution;

10. Decides to continue its consideration of this question at its forty-fifth 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".

56th meeting  
10 March 1988

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

1988/74. 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 of the United Nations 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 42/118 of 7 December 1987, and its own resolutions, notably resolution 1987/39 of 10 March 1987,

Recognizing the catalytic effect of United Nations initiatives on national and regional public information activities in the field of human rights,

Recognizing also the valuable role that non-governmental organizations can play in these endeavours,

Believing that the fortieth anniversary of the adoption of the Universal Declaration of Human Rights should provide a focus and a renewed impetus for the promotional activities of the United Nations system in the field of human rights,

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.4/1988/20 and Add.1);
2. Encourages all Member States to make special efforts during 1988 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, in their respective national and local languages, of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international conventions;
3. Welcomes the General Assembly's request that the Secretary-General present a report to the Assembly at its forty-third session on the advisability of launching, within existing resources, a world public information campaign on human rights in 1989 and that he include in the report an outline of planned activities;
4. Requests the Secretary-General to seek the views of Member States, United Nations organs and non-governmental organizations on activities for inclusion in the outline of planned activities for the campaign;
5. Reaffirms the need for materials on human rights to be made available in clear and accessible form, in national and local languages and in a sufficient number of copies, and for effective use to be made of the mass media, in particular radio and television and audio-visual technologies, in order to reach a wider audience, with priority being given to children, other young people and the disadvantaged, including those in isolated areas;
6. Requests the Secretary-General to explore the possibility of co-production arrangements for audio-visual programmes dealing with human rights issues so as to achieve maximum public impact at an economical cost;
7. Recognizes the need for the United Nations to harmonize its activities in this field with those of other organizations, in particular the International Committee of the Red Cross, with regard to the dissemination of information and education relating to international humanitarian law;
8. Welcomes the undertaking by the Secretary-General that the Department of Public Information will encourage non-governmental organizations to carry out activities in support of United Nations work on human rights and considers this to be an appropriate recognition of the important part played by non-governmental organizations in the promotion of greater understanding of the role of the United Nations in the human rights field;
9. Emphasizes the key role of the United Nations information centres in the public information programme of the United Nations in the field of human rights, and urges the Department of Public Information to give special attention to this role when reviewing the performance and accountability of the centres;

10. Renews its request to the Secretary-General to establish, within available resources, collections of basic reference works and United Nations materials at each United Nations information centre by the end of 1988, taking into account the list of basic human rights materials;

11. Invites all relevant elements of the United Nations system, including the specialized agencies and regional commissions, to facilitate the dissemination of the human rights materials of the United Nations and to improve the co-ordination of their activities in this field;

12. Notes the proposed establishment of a new structure in the Centre for Human Rights designed to enhance awareness of the work of the United Nations in the field of human rights and urges that the activities of this new structure be co-ordinated closely with those of the Department of Public Information, having due regard to their respective competences;

13. Requests the Secretary-General to finalize without delay the United Nations teaching booklet on human rights, and to arrange for the early dissemination of this text, which would serve as a broad and flexible framework within which teaching could be structured and developed in accordance with national circumstances;

14. 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;

15. 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;

16. Requests the Secretary-General to submit to the Commission at its forty-fifth session a report on the implementation of the present resolution;

17. Decides to continue its consideration of this question at its forty-fifth 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".

56th meeting  
10 March 1988

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

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 and annexed to Commission resolution 20 (XXXIV) of 8 March 1978, the amended version of the draft submitted to the Commission on 5 October 1979 (E/CN.4/1349), and the documents submitted by Poland to the General Assembly at its thirty-sixth session, on 7 October 1981 (A/C.3/36/6), and at its fortieth session, on 7 October 1985 (A/C.3/40/3 and Corr.1),

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, 41/116 of 4 December 1986 and 42/101 of 7 December 1987, by which the Assembly requested the Commission on Human Rights to give the highest priority to, and to make every effort at its forty-fourth and forty-fifth sessions to complete, a draft convention on the rights of the child and to submit it, through the Economic and Social Council, to the General Assembly at its forty-fourth session,

Recalling also its prior resolutions, in particular resolution 1987/48 of 11 March 1987, and pertinent Economic and Social Council resolutions, in particular resolution 1987/58 of 29 May 1987,

Noting that 1989 will be the year of the thirtieth anniversary of the Declaration of the Rights of the Child and the tenth anniversary of the International Year of the Child,

Recognizing, as stated in General Assembly resolution 42/101, that these anniversaries could constitute an appropriate target date for completion of the work on a draft convention on the rights of the child and for its adoption by the General Assembly,

Aware that, twenty-eight years after the adoption of the Declaration of the Rights of the Child, the situation of children throughout 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,

Welcoming the efforts made by the United Nations Children's Fund with a view to protecting and assisting children throughout the world,

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,

Noting the growing interest in successful completion of the work on a comprehensive international convention on the rights of the child displayed by numerous Governments and international organizations,

Bearing in mind the necessity of taking due account of the cultural values and needs of developing countries in the second reading of the draft convention, in order to achieve the universal recognition of the rights in the future convention on the rights of the child,

1. Notes with appreciation that the first reading of a comprehensive draft convention on the rights of the child has been completed by the open-ended working group of the Commission on Human Rights;

2. Decides to continue, as a matter of the highest priority, its work on the elaboration of the draft convention on the rights of the child;

3. Requests the Economic and Social Council to authorize, within existing resources, the convening of an open-ended working group for a period of up to two weeks in November-December 1988, with a view to completing the second reading of the draft convention on the rights of the child prior to the forty-fifth session of the Commission for transmission, through the Economic and Social Council, to the General Assembly at its forty-fourth session;

4. Requests the Secretary-General to circulate the report of the working group on its tenth session (E/CN.4/1988/28) and the text of the draft convention, as adopted during its first reading, to all States with a view to facilitating their participation, on a universal basis, in the second reading of the convention;

5. Further requests the Secretary-General to provide the resources necessary for the technical review of the first reading of the convention, as requested by the working group, so that the technical review may be completed by 31 August 1988 and its results sent to all States well in advance of the second reading;

6. Encourages all countries, especially developing countries, to take an active part in the second reading so that the convention will reflect the needs of the children of all countries;

7. Recommends the following draft resolution to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. A, draft resolution IX.]

56th meeting  
10 March 1988

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

1988/76. Prevention of the disappearance of children

The Commission on Human Rights,

Noting the expression of deep concern by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its decision 1987/107 of 3 September 1987 over reports concerning the critical situation of children who had disappeared in Argentina and who have recently been located in Paraguay,

Sharing the Sub-Commission's desire to facilitate family reunion and prevent any new risk of disappearance of those children and bearing in mind the lessons of the unfortunate cases which have occurred in the past in similar situations,

1. Approves the Sub-Commission's request to its Chairman to appoint one or several members to establish urgently and maintain contact with the competent authorities and institutions, including humanitarian organizations, which would report to him on the situation and ensure that there are no further risks of disappearance;

2. Requests the authorities concerned to facilitate the implementation of the present resolution;

3. Authorizes the Secretary-General to provide all the assistance necessary for the implementation of the present resolution.

56th meeting

10 March 1988

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

1988/77. 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, 41/151 of 4 December 1986 and 42/140 of 7 December 1987, 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, 1986/58 of 13 March 1986 and, in particular, 1987/43 of 10 March 1987,

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-fifth 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".

56th meeting  
10 March 1988

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

#### 1988/78. 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 duty of the Government of Chile to respect and protect human rights in accordance with the international instruments to which Chile is a party, in accordance with its international obligations,

Recalling its pertinent resolutions, in particular its resolutions 11 (XXXV) of 6 March 1979, by which it appointed a Special Rapporteur, and 1987/60 of 12 March 1987, whereby it decided, among other things, to extend the mandate of the Special Rapporteur for one year and to consider this question at its forty-fourth session as a matter of high priority,

Bearing in mind that the concern of the international community at the situation of human rights in Chile has been expressed by the General Assembly in numerous resolutions, in particular resolution 42/147 of 7 December 1987,

Deeply concerned that 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,

Bearing in mind the praiseworthy humanitarian work being carried out in Chile by the International Committee of the Red Cross,

Noting that during 1987 laws have been put into effect which seriously impair freedom of thought and expression and signify the proscription and interdiction of persons as regards the exercise of their civil and professional rights on the grounds of their political opinions, that killings in alleged confrontations, abductions, unclarified disappearances and new cases of internal exile have occurred, that the overall situation of political prisoners has not improved, and that death threats have been made against representatives of the arts and culture,

Noting also that the establishment of electoral registers and the legalization of certain 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 or other opinions which is an integral part of the International Covenant on Civil and Political Rights,

Noting further that the decision of the Chilean Government to allow a number of exiles to return is a step in the right direction,

1. Takes note with interest of the report of the Special Rapporteur on the situation of human rights in Chile (E/CN.4/1988/7) submitted in accordance with its resolution 1987/60, and expresses its appreciation for his tireless efforts in preparing the report;

2. Welcomes the fact that the Government of Chile has authorized the Special Rapporteur to visit the country and expresses its confidence that the Government will continue to extend its co-operation in the fulfilment of his mandate, while regretting that this 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;

4. Urges the Chilean Government to honour the requests from all social and political sectors for the peaceful restoration of a representative and pluralistic democracy, to guarantee the conditions of legitimacy that are indispensable for the announced plebiscite, such as the abolition of the states of emergency and other restrictions on the full exercise of the freedom of association and of assembly, full access to all means of communication and control by citizens over the electoral process;

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 murder, death in alleged confrontations, abduction, disappearance, torture and ill-treatment by the security forces, the climate of insecurity and extreme violence, the maintenance of exile and the denial of fundamental rights and freedoms during the prolonged periods in which states of emergency have been in force;

6. Also expresses its deep concern at the failure of the competent judicial authorities to take the necessary steps to conduct full investigations and prosecute independently those responsible for the numerous unresolved cases of murder, abduction, disappearance and torture, and for serious injuries caused by the use of new repressive methods of inhuman cruelty;

7. Emphasizes the need to re-establish the independence of the Chilean judiciary, as recommended by the Special Rapporteur in his report;

8. 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, in particular military searches and acts of intimidation against religious and lay human rights bodies and at times violent responses to social and political activities of the opposition;

9. Expresses dismay at 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;

10. Emphasizes the need for the Government of Chile to restore and respect human rights and fundamental freedoms 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 and, in particular:

(a) To put an immediate end to the application of all laws and regulations contrary to the full exercise of human rights and fundamental freedoms, including the revoking of all states of exception;

(b) To put an immediate end to all forms of torture and effectively to respect the right to life and to physical and moral integrity, and furthermore to desist from intimidation and persecution, abductions, arbitrary arrests, and ill-treatment of political prisoners, including detention incommunicado for long periods;

(c) 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 rape, abductions resulting in death, searches, interrogations, intimidation and ill-treatment, and punish those responsible, specially the leaders of these groups;

(d) To ensure the effectiveness of investigations of human rights violations and the effectiveness of judicial remedies, particularly amparo or habeas corpus, to prevent the intimidation of witnesses and defence lawyers, and to re-establish the jurisdiction of the civilian courts in matters within their competence which have over the past years been delegated to the military courts;

(e) 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;

(f) 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;

(g) To restore the full enjoyment and exercise of labour rights and to put an end to the repression of trade-union activities;

(h) To take all necessary steps to broaden and guarantee the rights of all political parties to campaign peacefully;

(i) To extend full co-operation to the International Committee of the Red Cross;

(j) To investigate and clarify without further delay the fate of persons arrested for political reasons who have subsequently disappeared;

11. Acknowledges the co-operation of the Government of Chile with the Special Rapporteur and requests that it continue and increase its co-operation with him and fully implement the resolutions and recommendations of the international community and of the Special Rapporteur on this matter;

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-third session and to the Commission on Human Rights at its forty-fifth 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-fifth session, as a matter of high priority, the human rights situation in Chile.

56th meeting  
10 March 1988

[Adopted by a roll-call vote of 34 to none,  
with 7 abstentions. See chap. V.]

## B. Decisions

### 1988/101. Organization of work

(a) At its 2nd meeting, on 2 February 1988, the Commission decided, without a vote, to set up informal open-ended working groups for the consideration of items 11, 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, Chairman-Rapporteur of the Ad Hoc Working Group of Experts on violations of human rights in southern Africa;
- (iii) In connection with item 9: Mr. E. Bernales Ballesteros, Special Rapporteur on mercenaries;
- (iv) 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;
- (v) In connection with item 12: 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; Mr. F. Yimer, Chairman of the Working Group on Communications of the Sub-Commission on Prevention of Discrimination and Protection of Minorities; and representatives of States in respect of which situations were being considered under item 12 (b);
- (vi) In connection with item 19: Mr. L. Despouy, Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

- (vii) In connection with item 22: Mr. H. Gros Espiell, Expert appointed by the Secretary-General on the situation in Guatemala; Mr. A. Braunschweig, Expert appointed by the Secretary-General on the situation in Haiti;
- (viii) In connection with item 23: Mr. A. V. d'Almeida Ribeiro, Special Rapporteur on the question of religious intolerance.

[See chap. III.]

1988/102. Violations of human rights in southern Africa:  
report of the Ad Hoc Working Group of Experts

At its 38th meeting, on 26 February 1988, the Commission, gravely concerned about the rapidly deteriorating human rights situation in South Africa, expressed its profound indignation at the reports of the banning and restrictions imposed by the Government of South Africa on a large number of civic and other mass organizations and their leaders in the country with effect from 24 February 1988, which constituted a total denial of the right of free expression to the majority of the people, decided, without a vote, to send an urgent message to the South African authorities to lift immediately the ban and other restrictions on all black civic, political and trade-union organizations and their leaders in South Africa and thus to create the necessary conditions for genuine dialogue, and decided further to request the Secretary-General to intervene as a matter of urgency with a view to defusing this explosive situation.

[See chap. VI.]

1988/103. 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 44th (closed) meeting, on 2 March 1988, 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-fifth 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 fortieth 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.]

1988/104. 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 49th meeting, on 7 March 1988, the Commission decided, without a vote, pursuant to its decisions 1985/109 of 14 March 1985 and 1987/104 of 10 March 1987, to consider further at its forty-fifth 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.]

1988/105. Question of human rights in Cyprus

At its 55th meeting, on 10 March 1988, the Commission decided, without a vote, that the debate under agenda item 12 (a) (Question of human rights in Cyprus) should be postponed to the forty-fifth session of the Commission and be given due priority at that session, it being understood that action required by previous resolutions of the Commission on this subject would continue to remain operative, including the request to the Secretary-General to provide a report to the Commission regarding their implementation.

[See chap. XII.]

1988/106.

At its 56th meeting, on 10 March 1988, having regard to the invitation of the Government of Cuba, the Commission on Human Rights decided, without a vote, (a) to accept the invitation that the Chairman and five members of the Commission, appointed following regional consultations, should visit Cuba in order to observe the human rights situation; (b) that the Chairman of the Commission, together with the five other members of the mission, should prepare a report to be submitted for consideration by the Commission, which would decide on the manner in which the report was to be examined.

[See chap. XII.]

1988/107. Organization of the work of the forty-fifth session

At its 56th meeting, on 10 March 1988, 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, forty-third and forty-fourth 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-fifth session, and (b) to request the Chairman of the Commission at its forty-fifth 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.]



### III. ORGANIZATION OF THE FORTY-FOURTH SESSION

#### A. Opening and duration of the session

1. The Commission on Human Rights held its forty-fourth session at the United Nations Office at Geneva from 1 February to 11 March 1988.
2. The session was opened (1st meeting) by Mr. Leonid F. Evmenov (Byelorussian Soviet Socialist Republic), Chairman of the Commission at its forty-third session, who made a statement. The Under-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 1 February 1988, the Commission elected the following officers by acclamation:

Chairman:	Mr. Alioune Sene (Senegal)
Vice-Chairmen:	Mr. César Delgado Barreto (Peru) Mr. José D. Ingles (Philippines) Mr. Francesco Mezzalama (Italy)
Rapporteur:	Mr. Gerhard Richter (German Democratic Republic).

#### D. Agenda

5. At its 1st meeting, on 1 February 1988, the Commission adopted the provisional agenda for the forty-fourth session (E/CN.4/1988/1), 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-third session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII). The agenda, as adopted, is given in annex II below.

#### E. Organization of work

6. At its 2nd and 3rd meetings, on 2 and 3 February 1988, the Commission considered the organization of its work.

7. At its 2nd meeting, it decided to set up informal open-ended working groups for the consideration of items 11, 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.

8. 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, Chairman-Rapporteur of the Ad Hoc Working Group of Experts on violations of human rights in southern Africa;

(c) In connection with item 9: Mr. E. Bernales Ballesteros, Special Rapporteur on mercenaries;

(d) 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;

(e) In connection with item 12: 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; Mr. F. Yimer, Chairman of the Working Group on Communications of the Sub-Commission on Prevention of Discrimination and Protection of Minorities; and representatives of States in respect of which situations were being considered under item 12 (b);

(f) In connection with item 19: Mr. L. Despouy, Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(g) In connection with item 22: Mr. H. Gros Espiell, Expert appointed by the Secretary-General on the situation in Guatemala; Mr. A. Braunschweig, Expert appointed by the Secretary-General on the situation in Haiti;

(h) In connection with item 23: Mr. A. Vidal d'Almeida Ribeiro, Special Rapporteur on the question of religious intolerance.

9. For the text of the decision, see chapter II, section B, decision 1988/101.

10. At its 3rd meeting, 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. It was also agreed that, at two meetings, delegations could address themselves to item 9 when considering item 4. 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. 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 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 of two replies, 10 minutes for the first and 5 minutes for the second, would again be observed.

12. At the 56th meeting, on 11 March 1988, a draft decision (E/CN.4/1988/L.78) sponsored by Norway was introduced by the representative of that country.

13. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.97) of draft decision E/CN.4/1988/L.78. 1/

14. The draft decision was adopted without a vote.

15. For the text as adopted, see chapter II, section B, decision 1988/107.

#### F. Meetings, resolutions and documentation

16. The Commission held 57 meetings.

17. The resolutions and decisions adopted by the Commission at its forty-fourth 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.

18. 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.

19. Annex IV contains a list of documents issued for the forty-fourth session of the Commission.

#### G. Other matters

20. By letter dated 2 February 1988, the Permanent Representative of the United States of America to the United Nations Office at Geneva transmitted to

the Commission a statement by the President of the United States of America on the occasion of the opening of the forty-fourth session (E/CN.4/1988/54).

21. At the 16th meeting, on 11 February 1988, the Minister for Foreign Affairs of Tunisia, Mr. M. Mestiri, addressed the Commission.

22. At the 17th meeting, on 12 February 1988, the Secretary of State for Foreign Affairs and Co-operation of Portugal, Mr. J. M. Durao Barroso, addressed the Commission.

23. At the 20th meeting, on 15 February 1988, the Secretary of State for the Promotion of Women and for Human Rights of Gabon, Mrs. R. P. Rogombe, addressed the Commission.

24. At the 22nd meeting, on 16 February 1988, the Minister of Justice and Attorney-General of Uganda, Mr. J. Mulenga, addressed the Commission.

25. At the 25th meeting, on 18 February 1988, the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, Mr. T. Eggar, addressed the Commission.

26. At the 26th meeting, on 18 February 1988, the Secretary-General of the League of Arab States, Mr. C. Klibi, addressed the Commission.

27. At the 27th meeting, on 19 February 1988, the Chairman of the Executive Committee of the Palestine Liberation Organization, Mr. Yasser Arafat, addressed the Commission.

28. At the 31st meeting, on 23 February 1988, the Minister for Rights and Liberties of the Citizens of Zaire, Mr. M. N. Niny, addressed the Commission.

29. At the 45th meeting, on 3 March 1988, the Minister for Foreign Affairs of Guatemala, Mr. A. Cabrera Hidalgo, addressed the Commission.

30. At the 47th meeting, on 4 March 1988, the Minister for Foreign Affairs of El Salvador, Mr. R. Acevedo Peralta, addressed the Commission.

31. At the 48th meeting, on 4 March 1988, the Minister for Foreign Affairs of Afghanistan, Mr. Abdul Wakil, addressed the Commission.

32. At the 51st meeting, on 8 March 1988, the Chairman read a message on the occasion of International Women's Day.

33. At the 52nd meeting, on 8 March 1988, the Permanent Representative of the United States of America to the United Nations, Mr. V. Walters, addressed the Commission.

34. At the 53rd meeting, on 9 March 1988, the representative of Yugoslavia made a statement in connection with International Women's Day.

IV. QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE  
OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

35. The Commission considered agenda item 4 at its 2nd to 5th meetings, held from 2 to 4 February 1988; it continued its consideration of this item concurrently with item 9 (see chap. IX) at its 6th to 8th meetings, held on 4 and 5 February 1988, and at its 19th meeting, held on 15 February 1988. 2/

36. 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/42/650);

Report of the Secretary-General on the measures taken to give Commission resolutions 1987/1 and 1987/2 A and B the widest possible publicity (E/CN.4/1988/3);

Letter dated 4 January 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations Office at Geneva, addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/4);

Note by the Secretary-General listing all United Nations reports issued since the forty-third session of the Commission that deal with the situation of the population of the occupied Arab territories, including Palestine (E/CN.4/1988/5);

Note verbale dated 19 January 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting letters dated 2 and 10 November 1987, 14 December 1987 and 18 January 1988 from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/21);

Cable dated 11 January 1988 from the Arab Youth and Student Organizations in Democratic Yemen to the Centre for Human Rights (E/CN.4/1988/51);

Note verbale dated 29 January 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting three communications from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva (E/CN.4/1988/53);

Note verbale dated 8 February 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a communication from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva (E/CN.4/1988/55);

Letter dated 18 February 1988 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter from the Secretary of the People's Committee for the People's Foreign Liaison (E/CN.4/1988/63);

Note verbale dated 23 February 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting letters dated 22 February 1988 from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/69);

Letter dated 2 March 1988 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter from the Secretary of the People's Committee for the People's Foreign Liaison (E/CN.4/1988/78);

Note verbale dated 22 February 1988 from the Permanent Mission of Peru to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1988/79);

Note verbale dated 7 March 1988 from the Permanent Mission of Algeria to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting the declaration of the Council of Ministers of Labour and Social Affairs of the Arab Gulf States concerning the situation in the occupied Arab territories (E/CN.4/1988/81);

Written statements submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/1 and E/CN.4/1988/NGO/3);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/8);

Written statement submitted by the Parliamentary Association for Euro-Arab Co-operation, a non-governmental organization on the Roster (E/CN.4/1988/18);

Written statement submitted by the International Association of Democratic Lawyers, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/21);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1988/NGO/30);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/45);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/50).

37. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (2nd), Argentina (7th), Bangladesh (4th), Belgium (6th), Brazil (5th), Bulgaria (6th), Byelorussian Soviet Socialist Republic (4th), China (6th), Cyprus (7th), France (6th), Gambia (7th), German Democratic Republic (4th), India (3rd), Iraq (7th), Ireland (6th), Italy (6th), Nicaragua (7th), Nigeria (4th), Norway (5th), Pakistan (5th), Philippines (7th), Portugal (5th), Rwanda (7th), Senegal (3rd), Somalia (3rd), Spain (6th), Sri Lanka (4th), Union of Soviet Socialist Republics (5th), United Kingdom of Great Britain and Northern Ireland (6th), United States of America (7th), Yugoslavia (7th).

38. The Commission also heard statements by the observers for: Afghanistan (3rd), Australia (5th), Austria (5th), Bahrain (5th), Bolivia (7th), Cuba (7th), Czechoslovakia (7th), Democratic Yemen (8th), Egypt (6th), Hungary (5th), Iran (Islamic Republic of) (7th), Israel (6th), Jordan (2nd), Kuwait (3rd), Libyan Arab Jamahiriya (5th), Mongolia (5th), Morocco (3rd), Oman (7th), Poland (6th), Romania (5th), Saudi Arabia (2nd), Sudan (5th), Syrian Arab Republic (2nd), Turkey (4th), United Republic of Tanzania (5th), Yemen (7th).

39. A statement was made by the observer for the Organization of African Unity (7th).

40. Statements were made by the observers for the Palestine Liberation Organization (2nd) and the Pan Africanist Congress of Azania (7th).

41. The Commission also heard statements by the following non-governmental organizations: Afro-Asian Peoples' Solidarity Organization (8th), Amnesty International (8th), Arab Lawyers Union (8th), Commission of the Churches on International Affairs of the World Council of Churches (5th), International Commission of Jurists (3rd), International Federation of Human Rights (3rd), International League for the Rights and Liberation of Peoples (5th), International Movement for Fraternal Union among Races and Peoples (3rd), International Organization for the Elimination of All Forms of Racial Discrimination (3rd), International Youth and Student Movement for the United Nations (8th), Parliamentary Association for Euro-Arab Co-operation (8th), Pax Romana (5th), Union of Arab Jurists (8th), Women's International League for Peace and Freedom (8th), World Confederation of Labour (8th), World Federation of Trade Unions (3rd), World Islamic Call Society (3rd), World Muslim Congress (3rd).

42. Statements equivalent to right of reply were made by the observers for Jordan (6th) and the Syrian Arab Republic (6th); and by the observer for the Palestine Liberation Organization (6th).

43. At its 19th meeting, on 15 February 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 4.

44. The representative of Algeria introduced two draft resolutions, A and B (E/CN.4/1988/L.2), sponsored by Algeria, Bahrain\*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, China, Cyprus, Cuba\*, Egypt\*, the German Democratic Republic, India, Iraq, Jordan\*, the Libyan Arab Jamahiriya\*, Morocco\*, Mozambique, Nicaragua, Pakistan, Rwanda, Sao Tome and Principe, Somalia, Sri Lanka, the Syrian Arab Republic\*, Tunisia\*, the Union of Soviet Socialist Republics and Yugoslavia. Afghanistan\*, Democratic Yemen\*, the Gambia, Kuwait\*, Mauritania\*, Qatar\*, Saudi Arabia\*, Senegal, the Ukrainian Soviet Socialist Republic\*, Viet Nam\* and Yemen\* subsequently joined the sponsors.

45. At the request of the representative of the United States of America, the vote on draft resolution A (E/CN.4/1988/L.2) was taken by roll-call. The draft resolution was adopted by 31 votes to 8, with 4 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Costa Rica, Ireland, Japan, Spain.

46. For the text as adopted, see chapter II, section A, resolution 1988/1 A.

47. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a roll-call vote was taken on operative paragraph 1 of draft resolution B (E/CN.4/1988/L.2) and, at the request of the representative of the Federal Republic of Germany, a roll-call vote was taken on operative paragraph 4 of the draft resolution.

48. Operative paragraph 1 was adopted by 43 votes to none. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Belgium, Botswana, 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, Mexico, Mozambique, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal, Somalia, Spain, 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.

49. Operative paragraph 4 was adopted by 31 votes to 7, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Costa Rica, Ireland, Japan, Portugal, Spain.

50. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution B (E/CN.4/1988/L.2) as a whole. The draft resolution was adopted by 31 votes to 1, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

51. For the text as adopted, see chapter II, section A, resolution 1988/1 B.

52. Statements in explanation of vote after the vote on resolutions 1988/1 A and B were made by the representatives of Argentina, Brazil, Colombia, Costa Rica, Ireland, Mexico, Peru, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

53. At the same meeting, the representative of Nicaragua introduced draft resolution E/CN.4/1988/L.3, sponsored by Algeria, Bahrain\*, Bulgaria,

the Byelorussian Soviet Socialist Republic, Cuba\*, Democratic Yemen\*, the German Democratic Republic, Jordan\*, Lebanon\*, the Libyan Arab Jamahiriya\*, Pakistan, Saudi Arabia\*, Sri Lanka, the Syrian Arab Republic\*, the Union of Soviet Socialist Republics and Yugoslavia. Subsequently Sri Lanka withdrew from, and Afghanistan\*, Bangladesh, the Gambia, Ghana\*, India, Kuwait\*, Mauritania\*, Nicaragua, Qatar\*, Sao Tome and Principe, Senegal, Somalia, the Ukrainian Soviet Socialist Republic\*, Viet Nam\* and Yemen\* joined the sponsors.

54. The Secretariat announced the following changes to be made in the draft resolution: in the title, the word "territories" should read "territory"; in the ninth preambular paragraph, the number of the General Assembly resolution referred to should read 3314 (XXIX); in the eleventh preambular paragraph, the words "and 42/160 F of 7 December 1987," should be added after the words "41/162 B of 4 December 1986"; throughout the resolution the words "Syrian Golan Heights" should be replaced by the words "Syrian Arab Golan", the phrase occurred in the third and fourth preambular paragraphs, twice in operative paragraph 3, in operative paragraphs 4 and 6, and twice in operative paragraph 8.

55. The representative of Iraq made a statement in explanation of vote before the vote.

56. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a roll-call vote was taken on the last preambular paragraph of draft resolution E/CN.4/1988/L.3 and, at the request of the representative of the United States of America, a roll-call vote was taken on operative paragraph 5.

57. The last preambular paragraph was adopted by 23 votes to 12, with 8 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Nigeria, Pakistan, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

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

Abstaining: Brazil, Colombia, Costa Rica, Mexico, Peru, Philippines, Togo, Venezuela.

58. Operative paragraph 5 was adopted by 19 votes to 15, with 9 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, China, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mozambique, Nicaragua, Nigeria, Pakistan, Senegal, Somalia, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Belgium, Brazil, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Philippines, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Colombia, Cyprus, Mexico, Peru, Rwanda, Sao Tome and Principe, Sri Lanka, Togo, Venezuela.

59. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1988/L.3 as a whole. The draft resolution was adopted by 31 votes to 1, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: United States of America.

Abstaining: Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland.

60. Statements in explanation of vote after the vote were made by the representatives of Argentina, Brazil, Costa Rica, Peru, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

61. For the text as adopted, see chapter II, section A, resolution 1988/2.

62. A statement equivalent to right of reply was made by the observer for the Palestine Liberation Organization.

63. The observer for the Syrian Arab Republic also made a statement.

## V. QUESTION OF HUMAN RIGHTS IN CHILE

64. The Commission considered agenda item 5 concurrently with item 12 and sub-item 12 (a) (see chap. XII) at its 41st meeting, held on 1 March, at its 44th to 48th meetings, held from 2 to 4 March, and at its 49th to 56th meetings, held from 7 to 10 March 1988. 2/

65. The Commission had before it the following documents:

Report of the Special Rapporteur on the situation of human rights in Chile to the General Assembly (A/42/556 and Corr.1);

Letter dated 9 November 1987 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/42/725);

Report of the Special Rapporteur on the situation of human rights in Chile to the Commission on Human Rights (E/CN.4/1988/7);

Letter dated 22 February 1988 from the Chargé d'affaires a.i. of the Permanent Mission of Chile to the United Nations addressed to the Secretary-General (E/CN.4/1988/68);

Letter dated 27 February 1988 from the Special Rapporteur on the situation of human rights in Chile to the Chairman of the Commission on Human Rights (E/CN.4/1988/80);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/7);

Written statement submitted by the Defense for Children International Movement, a non-governmental organization on the Roster (E/CN.4/1988/NGO/9);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/29);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1988/NGO/44).

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/61).

66. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (48th), Bulgaria (48th), Byelorussian Soviet Socialist Republic (46th), German Democratic Republic (47th), Mexico (50th), Spain (45th), Union of Soviet Socialist Republics (48th). (The representatives of Belgium, Brazil, Costa Rica,

France, Germany, Federal Republic of, Ireland, Italy, Japan, Nicaragua, Nigeria, Norway, Portugal, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela referred to this question under item 12.)

67. The Commission also heard statements by the observers for: Bolivia (47th), Chile (46th), Czechoslovakia (48th), Cuba (54th), Hungary (48th), Ukrainian Soviet Socialist Republic (48th). (The observers for Afghanistan, Australia, Austria, Canada, Mongolia, the Netherlands and Sweden referred to this question under item 12.)

68. A statement was made by the representative of the Inter-American Commission on Human Rights of the Organization of American States (44th).

69. The Commission also heard statements by the following non-governmental organizations: Andean Commission of Jurists (54th), Christian Democratic International (48th), Human Rights Advocates, Inc. (44th), Indian Council of South America (54th), International Commission of Jurists (45th), International Confederation of Free Trade Unions (54th), International Federation of Human Rights (48th), International Indian Treaty Council (54th), International League for the Rights and Liberation of Peoples (45th), International Movement for Fraternal Union among Races and Peoples (54th), International Union of Students (54th), International Union of Young Christian Democrats (50th), International Youth and Student Movement for the United Nations (54th), Latin American Federation of Associations of Relatives of Disappeared Detainees (48th), Pax Romana (50th), Women's International Democratic Federation (54th), World Federation of Democratic Youth (44th), World Federation of Trade Unions (48th), World Movement of Mothers (50th), World Peace Council (45th).

70. On 2 March 1988, a draft resolution (E/CN.4/1988/L.47) was submitted by Algeria, Cuba\*, Denmark\*, France, Italy, Mexico, Norway, Portugal, Spain and Yugoslavia, reading as follows:

"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 duty of the Government of Chile to respect and protect human rights in accordance with the international instruments to which Chile is a party, in accordance with its international obligations,

"Recalling its pertinent resolutions, in particular its resolutions 11 (XXXV) of 6 March 1979, by which it appointed a Special Rapporteur, and 1987/60 of 12 March 1987, whereby it decided, among other things, to extend the mandate of the Special Rapporteur for one year and to consider this question at its forty-fourth session, as a matter of high priority,

"Bearing in mind that the concern of the international community at the situation of human rights in Chile has been expressed by the General Assembly in numerous resolutions, in particular resolution 42/147 of 7 December 1987,

"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 during 1987 laws have been put into effect which seriously impair freedom of thought and expression and signify the proscription and interdiction of persons as regards their civil and professional rights and activities on the grounds of their political opinions, that the practices of murder in alleged confrontations, abductions, unclarified disappearances and forced exile have reappeared, that the overall situation of political prisoners has not improved, and that death threats have been made to representatives of the arts and cultural life,

"Noting that, in the absence of an institutional framework for holding free elections, the approval of laws on political parties and the establishment of electoral registers do not constitute a manifestation of the people's sovereignty and do not meet the basic requirements of a democratic rule of law or of the principle of non-discrimination on grounds of political or other opinion, as recognized in the International Covenant on Civil and Political Rights,

"Noting that the Chilean Government has recently allowed a number of political exiles to return,

"1. Takes note with interest of the report of the Special Rapporteur on the situation of human rights in Chile (E/CN.4/1988/7), submitted in accordance with its resolution 1987/60, 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 and expresses its confidence that the Government will continue to extend its co-operation in the fulfilment of his mandate, while regretting that the said 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;

"4. Urges the Chilean Government to honour the requests from all social and political sectors for the peaceful restoration of a representative and pluralistic democracy, to guarantee the conditions of legitimacy that are indispensable for the announced plebiscite, such as the abolition of the states of emergency and other restrictions on the full exercise of the freedom of association and of assembly, free access to all means of communication and control by citizens over the electoral process;

"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, disappearances, torture and ill-treatment by the security forces, the climate of insecurity and extreme violence, the maintenance of exile and the denial of fundamental rights and freedoms during the prolonged periods in which states of emergency have been in force;

"6. Also expresses its deep concern at the failure of the competent judicial authorities to take the necessary steps to conduct full investigations and prosecute independently those responsible for the numerous unresolved cases of murder, abduction, disappearance and torture, and for serious injuries caused by the use of new repressive methods of inhuman cruelty;

"7. 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 and acts of intimidation against religious and lay human rights bodies;

"8. Emphasizes the need for the Government of Chile to restore and respect human rights and fundamental freedoms 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 and, in particular:

"(a) To put an immediate end to the application of all laws contrary to the full exercise of human rights and fundamental freedoms;

"(b) To put an immediate end to all forms of torture and effectively to respect the right to life and to physical and moral integrity, and furthermore to desist from intimidation and persecution, abductions, arbitrary arrests, and ill-treatment of political prisoners, including detention incommunicado for long periods;

"(c) 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 death, searches, interrogations, intimidation and ill-treatment of persons, and punish those responsible, specially the leaders of these groups;

"(d) To ensure the effectiveness of investigations of human rights violations and the effectiveness of judicial remedies, particularly amparo or habeas corpus, to prevent the intimidation of witnesses and defence lawyers, and to re-establish the jurisdiction of the civilian courts in matters within their competence which have over the past years been delegated to the military courts;

"(e) 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;

"(f) 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;

"(g) To restore the full enjoyment and exercise of labour rights and to put an end to the repression of trade-union activities;

"9. Takes note of the co-operation of the Government of Chile with the United Nations, requests that it continue and increase its co-operation with the Special Rapporteur and that it fully implement the resolutions and recommendations of the international community and of the Special Rapporteur on this matter;

"10. 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-third session and to the Commission on Human Rights at its forty-fifth session;

"11. 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;

"12. Decides to consider at its forty-fifth session, as a matter of high priority, the human rights situation in Chile."

71. At the 56th meeting, on 10 March 1988, the representative of Mexico introduced a revised draft resolution (E/CN.4/1988/L.47/Rev.1), sponsored by Algeria, Australia\*, Bolivia\*, Cuba\*, Denmark\*, France, Greece\*, Italy, Luxembourg\*, Mexico, the Netherlands\*, Norway, Portugal, Spain and Yugoslavia.



72. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.57) of draft resolution E/CN.4/1988/L.47, which also applied to the revised draft resolution. 1/

73. A statement relating to the revised draft resolution was made by the observer for Chile.

74. A statement in explanation of vote before the vote was made by the representative of the United States of America.

75. At the request of the representative of the United States of America, a vote was taken on the revised draft resolution (E/CN.4/1988/L.47/Rev.1). At the request of the representative of Mexico, the vote was taken by roll-call. The draft resolution was adopted by 34 votes to none, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, Colombia, Costa Rica, Cyprus, Ethiopia, France, Gambia, German Democratic Republic, Germany, Federal Republic of, India, Ireland, Italy, Mexico, Nicaragua, Nigeria, Norway, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal, Spain, Sri Lanka, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

Against: None.

Abstaining: Bangladesh, Brazil, China, Japan, Pakistan, Somalia, United States of America.

The representative of Iraq stated that his delegation was not participating in the vote.

76. A statement in explanation of vote after the vote was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

77. For the text as adopted, see chapter II, section A, resolution 1988/78.

VI. VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF  
THE AD HOC WORKING GROUP OF EXPERTS

78. The Commission considered agenda item 6 concurrently with items 7, 16 and 17 (see chaps. VII, XVI and XVII) at its 13th to 20th meetings, held from 10 to 15 February, and at its 40th meeting, held on 29 February 1988. The Commission also considered item 6 at its 38th meeting, on 26 February 1988. 2/

79. The Commission had before it the following documents:

Interim report of the Ad Hoc Working Group of Experts prepared in accordance with Commission on Human Rights resolutions 1987/8 and 1987/14 and Economic and Social Council resolution 1987/63 (E/CN.4/1988/8);

Note by the Secretariat transmitting a statement by the Minister of Law and Order of South Africa (E/CN.4/1988/47);

Letter dated 29 January 1988 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/50);

Note verbale dated 10 February 1988 from the Permanent Delegation of the Organization of African Unity accredited to the United Nations Office at Geneva addressed to the Commission on Human Rights (E/CN.4/1988/57);

Letter dated 26 February 1988 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/72);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/16);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/32);

Written statement submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1988/NGO/35);

Written statement submitted by Rädä Barnen International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/42).

80. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (15th), Argentina (17th), Bangladesh (15th), Belgium (16th), Botswana (15th), Brazil (16th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (14th), China (16th), Colombia (17th), Cyprus (18th), Ethiopia (16th), France (17th), Gambia (18th), German Democratic Republic (14th), Germany, Federal Republic of (14th),

India (14th), Iraq (17th), Ireland (17th), Italy (17th), Japan (17th), Mexico (17th), Mozambique (16th), Nicaragua (18th), Nigeria (16th), Norway (also on behalf of the observers for Denmark, Finland, Iceland and Sweden) (14th), Pakistan (18th), Peru (20th), Philippines (18th), Portugal (15th) Rwanda (15th). Sao Tome and Principe (17th), Senegal (14th), Somalia (16th), Spain (18th), Sri Lanka (17th), Togo (18th), Union of Soviet Socialist Republics (16th and 17th), United Kingdom of Great Britain and Northern Ireland (15th), United States of America (15th), Venezuela (18th), Yugoslavia (15th).

81. The Commission also heard statements by the observers for: Afghanistan (14th), Angola (20th), Austria (14th), Bolivia (19th), Canada (15th), Cuba (18th), Czechoslovakia (19th), Democratic Kampuchea (20th), Democratic Yemen (15th), Egypt (18th), Ghana (18th), Hungary (19th), Iran (Islamic Republic of) (20th), Israel (18th), Kenya (18th), Libyan Arab Jamahiriya (20th), Mongolia (20th), Morocco (16th), Romania (19th), Sudan (19th), Syrian Arab Republic (20th), Turkey (15th), Ukrainian Soviet Socialist Republic (18th), United Republic of Tanzania (14th and 20th).

82. A statement was made by the observer for the United Nations Council for Namibia (14th).

83. A statement was also made by the observer for the Organization of African Unity (19th).

84. Statements were made by the observers for the African National Congress of South Africa (14th), the Pan Africanist Congress of Azania (14th and 20th) and the South West Africa People's Organization (14th).

85. The Commission also heard statements by the following non-governmental organizations: Amnesty International (20th), Commission of the Churches on International Affairs of the World Council of Churches (14th), Four Directions Council (14th), International Commission of Jurists (14th), International Confederation of Free Trade Unions (14th), International League for the Rights and Liberation of Peoples (14th), International Movement for Fraternal Union Among Races and Peoples (20th), International Organization for the Elimination of All Forms of Racial Discrimination (20th), Pax Romana (14th), Women's International Democratic Federation (15th), World Federation of Democratic Youth (14th), World Federation of Methodist Women (14th), World Union for Progressive Judaism (14th), World University Service (20th).

86. A statement equivalent to right of reply was made by the observer for the Pan Africanist Congress of Azania (14th).

87. At its 38th meeting, on 26 February 1988, the Commission adopted without a vote a draft decision (E/CN.4/1988/L.31) proposed by the Chairman.

88. For the text as adopted, see chapter II, section B, decision 1988/102.

89. At its 40th meeting, on 29 February 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 6.

90. The representative of the Gambia introduced draft resolution E/CN.4/1988/L.19, sponsored by Angola\*, China, Cuba\*, Cyprus, Egypt\*, Ethiopia, Gabon\*, the Gambia, Kenya\*, the Libyan Arab Jamahiriya\*, Mauritania\*, Mozambique, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan\*, the Syrian Arab Republic\*, Togo, the United Republic of Tanzania\* and Zimbabwe\*. Algeria, India and Nicaragua subsequently joined the sponsors.

91. At the request of the representative of the Gambia, a roll-call vote was taken on draft resolution E/CN.4/1988/L.19. The draft resolution was adopted by 36 votes to 3, with 4 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Italy, Mexico, Mozambique, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Spain, 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, Portugal.

92. Statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany, Italy, Japan, Portugal, the United Kingdom of Great Britain and Northern Ireland and Spain.

93. For the text as adopted, see chapter II, section A, resolution 1988/9.

94. The representative of Sao Tome and Principe introduced draft resolution E/CN.4/1988/L.20, sponsored by Algeria, Angola\*, Cameroon\*, Cuba\*, Cyprus, Egypt\*, Ethiopia, the Gambia, Ghana\*, Kenya\*, the Libyan Arab Jamahiriya\*, Mauritania\*, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, the Syrian Arab Republic\* and Togo. Afghanistan\*, the Islamic Republic of Iran\*, Nicaragua, Sri Lanka and Zimbabwe\* subsequently joined the sponsors.

95. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1988/L.20. The draft resolution was adopted by 34 votes to none, with 9 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Ireland, Mexico, Mozambique, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Germany, Federal Republic of, Italy, Japan, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

96. Statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany, Ireland, Japan, Norway, Portugal and the United States of America.

97. For the text as adopted, see chapter II, section A, resolution 1988/10.

98. The representative of Rwanda introduced draft resolution E/CN.4/1988/L.21, sponsored by Algeria, Angola\*, Burundi\*, Côte d'Ivoire\*, Cuba\*, Egypt\*, Ethiopia, Gabon\*, the Gambia, the German Democratic Republic, Kenya\*, the Libyan Arab Jamahiriya\*, Mauritania\*, Morocco\*, Mozambique, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan\*, the Syrian Arab Republic\*, Togo, Tunisia\*, Uganda\*, the United Republic of Tanzania\* and Zimbabwe\*. Afghanistan\*, Botswana, Bulgaria, the Byelorussian Soviet Socialist Republic, Cyprus, the Islamic Republic of Iran\*, Ireland, Italy, the Philippines, the Netherlands\*, Nicaragua, Norway, Sweden\* and the Ukrainian Soviet Socialist Republic\* subsequently joined the sponsors.

99. The draft resolution was adopted without a vote.

100. An explanation of vote after the vote was made by the representative of the United States of America.

101. For the text as adopted, see chapter II, section A, resolution 1988/11.

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

102. The Commission considered agenda item 7 concurrently with items 6, 16 and 17 (see chaps. VI, XVI and XVII) at its 13th to 20th meetings, held from 10 to 15 February, and at its 40th meeting, held on 29 February 1988. 2/

103. The Commission had before it the updated report on banks, transnational corporations and other organizations assisting the racist régime of South Africa 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 and Add.1, parts I and II).

104. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (15th), Argentina (17th), Bangladesh (15th), Belgium (16th), Botswana (15th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (14th), China (16th), Cyprus (18th), France (17th), Gambia (18th), German Democratic Republic (14th), Germany, Federal Republic of (14th), India (14th), Iraq (17th), Ireland (17th), Italy (17th), Japan (17th), Mexico (17th), Nicaragua (18th), Nigeria (16th), Norway (14th), Pakistan (18th), Philippines (18th), Sao Tome and Principe (17th), Senegal (14th), Somalia (16th), Sri Lanka (17th), Togo (18th), Union of Soviet Socialist Republics (16th), United Kingdom of Great Britain and Northern Ireland (15th), United States of America (15th), Venezuela (18th), Yugoslavia (15th).

105. The Commission heard statements by the observers for: Afghanistan (14th), Canada (15th), Cuba (18th), Czechoslovakia (19th), Democratic Kampuchea (20th), Democratic Yemen (15th), Egypt (18th), Ghana (18th), Hungary (19th), Iran (Islamic Republic of) (20th), Israel (18th), Libyan Arab Jamahiriya (20th), Mongolia (20th), Morocco (16th), Peru (20th), Romania (19th), Syrian Arab Republic (20th), Ukrainian Soviet Socialist Republic (18th), United Republic of Tanzania (14th and 20th).

106. A statement was made by the observer for the Organization of African Unity (19th).

107. Statements were made by the observers for the African National Congress of South Africa (14th) and the Pan Africanist Congress of Azania (14th).

108. Statements were also made by the following non-governmental organizations: Commission of the Churches on International Affairs of the World Council of Churches (14th), International Movement for Fraternal Union Among Races and Peoples (20th), Pax Romana (14th), Women's International Democratic Federation (15th).

109. Statements in right of reply were made by the representatives of Nicaragua (19th) and the United States of America (19th).

110. At its 40th meeting, on 29 February 1988, the Commission took up consideration of the draft resolutions submitted under item 7.

111. The representative of Somalia introduced draft resolution E/CN.4/1988/L.22, sponsored by Algeria, Angola\*, Bangladesh, Bulgaria, Burundi\*, the Byelorussian Soviet Socialist Republic, Cuba\*, Egypt\*, Ethiopia, the Gambia, the German Democratic Republic, India, Iraq, Kenya\*, the Libyan Arab Jamahiriya\*, Mauritania\*, Mongolia\*, Nigeria, Pakistan, Rwanda, Somalia, Sudan\*, the Syrian Arab Republic\*, Togo, the Ukrainian Soviet Socialist Republic\*, the Union of Soviet Socialist Republics, the United Republic of Tanzania\* and Viet Nam\*. Afghanistan\*, Czechoslovakia, the Islamic Republic of Iran\*, Nicaragua and Zimbabwe\* subsequently joined the sponsors.

112. An estimate of the administrative and programme budget implications (E/CN.4/1988/L.37) of draft resolution E/CN.4/1988/L.22 was read out. 1/

113. The representative of the United Kingdom of Great Britain and Northern Ireland requested a vote on draft resolution E/CN.4/1988/L.22. At the request of the representative of Algeria, the vote was taken by roll-call. The draft resolution was adopted by 32 votes to 7, with 4 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Ireland, Japan, Norway, Spain.

114. For the text as adopted, see chapter II, section A, resolution 1988/12.

115. In view of the adoption of resolution 1988/12, the Commission decided to take no action on draft resolution V recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

116. At the same meeting, the representative of Somalia introduced draft resolution E/CN.4/1988/L.23, sponsored by Algeria, Angola\*, Bangladesh, Bulgaria, Burundi\*, the Byelorussian Soviet Socialist Republic, Cuba\*, Egypt\*, Ethiopia, the Gambia, the German Democratic Republic, India, Iraq, Kenya\*, the Libyan Arab Jamahiriya\*, Mauritania\*, Mongolia\*, Nigeria, Pakistan, Rwanda,

Somalia, Sudan\*, the Syrian Arab Republic\*, Togo, the Ukrainian Soviet Socialist Republic\*, the Union of Soviet Socialist Republics, the United Republic of Tanzania\* and Viet Nam\*. Afghanistan\*, Czechoslovakia\*, the Islamic Republic of Iran\*, Nicaragua and Zimbabwe\* subsequently joined the sponsors.

117. The representative of the United Kingdom of Great Britain and Northern Ireland requested a vote on draft resolution E/CN.4/1988/L.23. At the request of the representative of Algeria, the vote was taken by roll-call. The draft resolution was adopted by 32 votes to 7, with 4 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Ireland, Japan, Norway, Spain.

118. The representative of the United States of America made a statement in explanation of vote after the vote.

119. For the text as adopted, see chapter II, section A, resolution 1988/13.



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

120. The Commission considered agenda item 8 concurrently with item 18 (see chapter XVIII) from the 21st to 26th meetings, held from 16 to 18 February, at its 28th meeting, held on 19 February, and at its 49th and 50th meetings, held on 7 March 1988. 2/

121. 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.4/1988/9 and Add.1 and 2);

Report of the Working Group on Governmental Experts on the Right to Development (E/CN.4/1988/10);

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.4/1988/11 and Add.1);

Note verbale dated 17 February 1988 from the Permanent Mission of Bulgaria to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a joint statement by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics (E/CN.4/1988/65);

Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster (E/CN.4/1988/NGO/2);

Written statement submitted by the International Federation of Rural Adult Catholic Movements, a non-governmental organization on the Roster (E/CN.4/1988/NGO/5);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/12);

Written statement submitted by the Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/15);

Written statement submitted by the International Commission of Health Professionals for Health and Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/28);

Written statement submitted by the International Alliance of Women - Equal Rights, Equal Responsibilities and Zonta International, non-governmental organizations in consultative status (category I), the International Council of Jewish Women, the International Federation of Women Lawyers, the International Movement for Fraternal Union among Races and Peoples, the Women's International League for Peace and Freedom and the World Federation of Methodist Women, non-governmental organizations in consultative status (category II), and the Medical Women's International Association, a non-governmental organization on the Roster (E/CN.4/1988/NGO/47);

Written statement submitted by the International Union of Students, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/49);

Written statements submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1988/NGO/66, E/CN.4/1988/NGO/67 and E/CN.4/1988/NGO/68).

122. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (24th), Argentina (24th), Belgium (24th), Brazil (23rd), Bulgaria (22nd), Byelorussian Soviet Socialist Republic (24th), China (23rd), Costa Rica (23rd), Ethiopia (24th), France (23rd), German Democratic Republic (24th), India (24th), Iraq (24th), Ireland (21st), Italy (24th), Mexico (23rd), Nicaragua (23rd), Norway (23rd), Pakistan (24th), Peru (24th), Philippines (24th), Portugal (23rd), Rwanda (24th), Senegal (21st), Spain (24th), United Kingdom of Great Britain and Northern Ireland (23rd), United States of America (24th), Venezuela (24th), Yugoslavia (23rd).

123. The Commission heard statements by the observers for: Afghanistan (22nd), Australia (24th), Austria (23rd), Cuba (24th), Egypt (24th), Hungary (24th), Iran (Islamic Republic of) (24th), Libyan Arab Jamahiriya (23rd), Netherlands (24th), Portugal (23rd), Ukrainian Soviet Socialist Republic (24th), Syrian Arab Republic (24th).

124. Statements were also made by the following non-governmental organizations: Amnesty International (25th), Baha'i International Community (22nd), Four Directions Council (24th), Grand Council of the Crees (of Quebec) (25th), International Commission of Health Professionals for Health and Human Rights (25th), International Commission of Jurists (25th), International Federation of Human Rights (25th), International Federation of

Rural Adult Catholic Movements (25th), International Fellowship of Reconciliation (25th), International League for the Rights and Liberation of Peoples (25th), International Movement for Fraternal Union Among Races and Peoples (25th), International Union of Students (25th), Inter-Parliamentary Union (25th), Pax Romana (25th), Women's International League for Peace and Freedom (25th), World Confederation of Labour (25th).

125. Statements in right of reply were made by the representatives of Brazil (26th), India (25th) and the Philippines (28th).

126. At its 49th meeting, on 7 March 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 8.

127. Draft resolution E/CN.4/1988/L.13, sponsored by the United States of America, was introduced by the representative of that country.

128. The draft resolution was adopted without a vote.

129. A statement in explanation of vote after the vote was made by the representative of Mexico.

130. For the text as adopted, see chapter II, section A, resolution 1988/18.

131. Draft resolution E/CN.4/1988/L.14, sponsored by the German Democratic Republic, was introduced by the representative of that country.

132. The representative of the United States of America requested a roll-call vote on draft resolution E/CN.4/1988/L.14. The draft resolution was adopted by 31 votes to 11. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: None.

133. A statement in explanation of vote after the vote was made by the representative of Belgium.

134. For the text as adopted, see chapter II, section A, resolution 1988/19.

135. Draft resolution E/CN.4/1988/L.27, sponsored by Haiti\* and the Philippines, was introduced by the representative of the Philippines.

136. The draft resolution was adopted without a vote.
137. Statements in explanation of vote after the vote were made by the representatives of Belgium, France and the Federal Republic of Germany.
138. For the text as adopted, see chapter II, section A, resolution 1988/20.
139. The representative of Yugoslavia introduced draft resolution E/CN.4/1988/L.32, sponsored by Algeria, Bangladesh, China, Colombia, Costa Rica, Cuba\*, Cyprus, Ethiopia, the German Democratic Republic, India, Nicaragua, Peru, the Philippines, Poland\*, the Syrian Arab Republic\* and Yugoslavia. Romania\* subsequently joined the sponsors.
140. The draft resolution was adopted without a vote.
141. 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.
142. For the text as adopted, see chapter II, section A, resolution 1988/21.
143. The representative of the German Democratic Republic introduced draft resolution E/CN.4/1988/L.33, sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba\*, Czechoslovakia\*, Ethiopia, the German Democratic Republic, Hungary\*, India and Nicaragua. Argentina and Mongolia\* subsequently joined the sponsors.
144. A statement in explanation of vote before the vote was made by the representative of the Federal Republic of Germany.
145. The representative of the Federal Republic of Germany requested a vote on draft resolution E/CN.4/1988/L.33. At the request of the representative of the German Democratic Republic, the vote was taken by roll-call. The draft resolution was adopted by 30 votes to 9, with 3 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Brazil, Portugal, Spain.

146. A statement in explanation of vote after the vote was made by the representative of Belgium.

147. For the text as adopted, see chapter II, section A, resolution 1988/22.

148. The representative of Portugal introduced draft resolution E/CN.4/1988/L.34, sponsored by Argentina, Belgium, Bulgaria, Costa Rica, Cyprus, Finland\*, France, the German Democratic Republic, India, the Netherlands\*, Norway, the Philippines, Portugal, Senegal, Spain and the United Kingdom of Great Britain and Northern Ireland. The Gambia, Hungary\*, Luxembourg\*, Nicaragua and Peru subsequently joined the sponsors.

149. The draft resolution was adopted without a vote.

150. For the text as adopted, see chapter II, section A, resolution 1988/23.

151. The observer for Mongolia introduced draft resolution E/CN.4/1988/L.38, sponsored by Afghanistan\*, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba\*, Czechoslovakia\*, Ethiopia, the German Democratic Republic, the Libyan Arab Jamahiriya\*, Madagascar\*, Mongolia\*, Nicaragua, Panama\*, Poland\*, the Syrian Arab Republic\*, the Ukrainian Soviet Socialist Republic\*, the Union of Soviet Socialist Republics and Viet Nam\*. Romania\* and Sri Lanka subsequently joined the sponsors.

152. Statements in explanation of vote before the vote were made by the representatives of Belgium, the Federal Republic of Germany and Ireland.

153. The representative of Belgium requested a roll-call vote on operative paragraph 5. Operative paragraph 5 was adopted by 26 votes to 10, with 6 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Brazil, France, Gambia, Sao Tome and Principe, Senegal, Togo.

154. At the request of the representative of Belgium, a roll-call vote was taken on draft resolution E/CN.4/1988/L.38 as a whole. The draft resolution was adopted by 31 votes to none, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

155. For the text as adopted, see chapter II, section A, resolution 1988/24.

156. Draft resolution E/CN.4/1988/L.39, sponsored by Bulgaria and the Ukrainian Soviet Socialist Republic\*, was introduced by the observer for the Ukrainian Soviet Socialist Republic.

157. The draft resolution was adopted without a vote.

158. For the text as adopted, see chapter II, section A, resolution 1988/25.

159. The representative of Yugoslavia introduced draft resolution E/CN.4/1988/L.45, sponsored by Algeria, Argentina, Brazil, China, Ethiopia, Iraq and Yugoslavia. Bangladesh, Colombia, Cuba\*, India, Mexico, Nicaragua, Romania\* and Sri Lanka subsequently joined the sponsors.

160. The representative of Yugoslavia orally revised draft resolution E/CN.4/1988/L.45 as follows:

(a) In operative paragraph 7 the word "final" was inserted between the words "its" and "recommendations";

(b) Operative paragraph 9 was deleted, and the remaining operative paragraphs were renumbered accordingly.

161. 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.4/1988/L.45 would be adopted without a vote, his delegation would not participate in that action.

162. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.51) of draft resolution E/CN.4/1988/L.45. 1/

163. The draft resolution was adopted without a vote.

164. A statement in explanation of vote after the vote was made by the representative of France.

165. For the text as adopted, see chapter II, section A, resolution 1988/26.

166. At its 50th meeting, on 7 March 1988, the Commission considered draft resolution XI recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

167. The representative of the Federal Republic of Germany introduced amendments (E/CN.4/1988/L.89) to the draft resolution.

168. The amendments were adopted without a vote.

169. Draft resolution XI, as amended, was adopted without a vote.

170. For the text as adopted, see chapter II, section A, resolution 1988/29.

IX. THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO  
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

171. The Commission considered agenda item 9 concurrently with item 4 (see chapter IV) at its 6th to 8th meetings, held on 4 and 5 February 1988. Item 9 was further considered at the Commission's 8th to 13th meetings, held from 5 to 10 February, at its 27th meeting, on 19 February, at its 29th meeting, on 22 February, and at its 32nd meeting, on 23 February 1988. 2/

172. The Commission had before it the following documents:

Report of the Secretary-General prepared in accordance with Commission resolution 1987/4 (E/CN.4/1988/13);

Report on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination, submitted by the Special Rapporteur, Mr. Enrique Bernales Ballesteros, prepared in accordance with Commission resolution 1987/16 (E/CN.4/1988/14);

Letter dated 12 January 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/41);

Letter dated 18 January 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/52);

Note verbale dated 8 February 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a communication from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva (E/CN.4/1988/55);

Letter dated 9 February 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/56);

Note verbale dated 10 February 1988 from the Permanent Delegation of the Organization of African Unity to the United Nations Office at Geneva addressed to the Commission on Human Rights (E/CN.4/1988/57);

Note verbale dated 12 February 1988 from the Permanent Mission of Pakistan to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1988/58);

Letter dated 18 February 1988 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/64);



Note verbale dated 22 February 1988 from the Permanent Mission of Afghanistan to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1988/67);

Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/10);

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/17);

Written statements submitted by the International Association of Democratic Lawyers, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/19, E/CN.4/1988/NGO/20 and E/CN.4/1988/NGO/23);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/33);

Written statement submitted by the Procedural Aspects of International Law Institute, a non-governmental organization on the Roster (E/CN.4/1988/NGO/34);

Written statement submitted by the World Federation of United Nations Associations, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/39);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/50).

173. At the 27th meeting, on 19 February 1988, Mr. E. Bernales Ballesteros, Special Rapporteur, introduced his report (E/CN.4/1988/14)..

174. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (9th), Argentina (7th and 11th), Bangladesh (9th), Belgium (10th), Bulgaria (6th and 11th), Byelorussian Soviet Socialist Republic (10th), China (10th), Cyprus (11th), Ethiopia (12th), France (11th), German Democratic Republic (9th), Germany, Federal Republic of (8th), Iraq (11th), Japan (9th), Mexico (11th), Mozambique (10th), Nicaragua (11th), Pakistan (11th), Philippines (7th and 11th), Portugal (9th), Rwanda (12th), Sao Tome and Principe (10th), Somalia (10th), Spain (11th), Sri Lanka (11th), Union of Soviet Socialist Republics (9th and 11th), United Kingdom of Great Britain and Northern Ireland (11th), United States of America (10th).

175. The Commission also heard statements by the observers for: Afghanistan (9th), Angola (12th), Burundi (12th), Cuba (12th), Czechoslovakia (7th), Democratic Kampuchea (9th), Egypt (6th), Morocco (10th),

Oman (7th), Poland (12th), Syrian Arab Republic (10th), Thailand (9th), Turkey (12th), Ukrainian Soviet Socialist Republic (12th), United Arab Emirates (10th), United Republic of Tanzania (9th), Viet Nam (9th), Yemen (7th).

176. A statement was made by the observer for the United Nations Council for Namibia (10th).

177. Statements were also made by the observers for the Pan Africanist Congress of Azania (7th) and the Palestine Liberation Organization (12th).

178. The Commission also heard statements by the following non-governmental organizations: Andean Commission of Jurists (13th), Arab Lawyers Union (8th), Commission of the Churches on International Affairs of the World Council of Churches (12th), Indigenous World Association (10th), International Commission of Jurists (12th), International Federation of Human Rights (12th), International League for the Rights and Liberation of Peoples (13th), Pax Christi (10th), Pax Romana (13th), Procedural Aspects of International Law Institute (10th), Women's International Democratic Federation (13th), Women's International League for Peace and Freedom (13th), World Muslim Congress (8th), World University Service (13th).

179. Statements in right of reply or equivalent to right of reply were made by the representatives of France (13th), the German Democratic Republic (11th), India (13th), Iraq (13th), Nicaragua (13th), Pakistan (13th), Portugal (13th), the Union of Soviet Socialist Republics (13th) and the United States of America (10th, 12th and 13th), and by the observers for Afghanistan (12th), Cuba (10th and 13th), Democratic Kampuchea (12th), Indonesia (13th), the Libyan Arab Jamahiriya (10th), the Syrian Arab Republic (13th), Turkey (13th) and Viet Nam (12th).

180. At its 29th meeting, on 22 February 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 9.

181. The representative of India introduced draft resolution E/CN.4/1988/L.4, sponsored by Algeria, Angola\*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, the Gambia, the German Democratic Republic, India, Iraq, Kuwait\*, the Libyan Arab Jamahiriya\*, Mozambique, Nicaragua, Pakistan, Rwanda, Sao Tome and Principe, Saudi Arabia\*, Somalia, the Syrian Arab Republic\* and Yugoslavia. Afghanistan\*, Cuba\*, Democratic Yemen\*, Egypt\*, Gabon\*, Madagascar\*, Mongolia\*, Morocco\*, Qatar\*, Senegal, Viet Nam\* and Yemen\* subsequently joined the sponsors.

182. At the request of the representative of France, a separate vote was taken on the last preambular paragraph of draft resolution E/CN.4/1988/L.4. At the request of the representative of the United States of America, the vote was taken by roll-call. The last preambular paragraph was adopted by 23 votes to 11, with 8 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Nicaragua, Nigeria, Pakistan, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Union of Soviet Socialist Republics, Yugoslavia.

Against: Argentina, Belgium, France, Germany, Federal Republic of, Ireland, Italy, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Brazil, Colombia, Costa Rica, Japan, Mexico, Peru, Togo, Venezuela.

The representative of Mozambique subsequently indicated that, had he been present, he would have voted in favour.

183. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1988/L.4 as a whole. The draft resolution was adopted by 30 votes to 4, with 8 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: Germany, Federal Republic of, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, Costa Rica, France, Ireland, Italy, Japan, Portugal, Spain.

The representative of Mozambique subsequently indicated that, had he been present, he would have voted in favour.

184. Statements in explanation of vote after the vote were made by the representatives of Brazil, Spain, the United States of America and Venezuela.

185. For the text as adopted, see chapter II, section A, resolution 1988/3.

186. The representative of Pakistan introduced draft resolution E/CN.4/1988/L.5, sponsored by Bahrain\*, Bangladesh, the Gambia, Guatemala\*, Jordan\*, Malaysia\*, Morocco\*, Nepal\*, Oman\*, Pakistan, Paraguay\*, the Philippines, Saudi Arabia\*, Senegal, Singapore\*, Somalia, Thailand\*, Tunisia\*, Turkey\* and the United Arab Emirates\*. Costa Rica, Egypt\*, Honduras\* and Qatar\* subsequently joined the sponsors.

187. A statement relating to the draft resolution was made by the observer for Afghanistan.

188. Statements in explanation of vote before the vote were made by the representatives of Bulgaria, the German Democratic Republic and the Union of Soviet Socialist Republics.

189. At the request of the representative of the Union of Soviet Socialist Republics, a roll-call vote was taken on draft resolution E/CN.4/1988/L.5. The draft resolution was adopted by 31 votes to 5, with 6 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belgium, Botswana, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, Norway, Pakistan, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal, Somalia, Spain, 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, Cyprus, India, Iraq, Nicaragua, Nigeria.

The representative of Mozambique subsequently indicated that, had he been present, he would not have participated in the vote.

190. Statements in explanation of vote after the vote were made by the representatives of Brazil and Sao Tome and Principe.

191. For the text as adopted, see chapter II, section A, resolution 1988/4.

192. The representative of Sao Tome and Principe introduced draft resolution E/CN.4/1988/L.6, sponsored by Afghanistan\*, Algeria, Angola\*, Argentina, Bolivia\*, Botswana, Burundi\*, Cuba\*, Cyprus, Democratic Yemen\*, Ethiopia, Ghana\*, India, Iran (Islamic Republic of)\*, the Libyan Arab Jamahiriya\*, Madagascar\*, Mexico, Mozambique, Nicaragua, Nigeria, Panama\*, Rwanda, Sao Tome and Principe, the Syrian Arab Republic\*, the United Republic of Tanzania\*, Viet Nam\*, Yugoslavia and Zimbabwe\*. Lesotho\* and Uganda\* subsequently joined the sponsors.

193. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1988/L.6. The draft resolution was adopted by 27 votes to none, with 15 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Ireland, Mexico, Nicaragua, Nigeria, Norway, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Spain, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Bangladesh, Belgium, China, Costa Rica, France, Germany, Federal Republic of, Iraq, Italy, Japan, Pakistan, Portugal, Somalia, Sri Lanka, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representative of Mozambique subsequently indicated that, had he been present, he would have voted in favour.

194. A statement in explanation of vote after the vote was made by the representative of Brazil.

195. For the text as adopted, see chapter II, section A, resolution 1988/5.

196. The representative of the Philippines introduced draft resolution E/CN.4/1988/L.8, sponsored by Bangladesh, Belgium, Cameroon\*, Canada\*, Costa Rica, the Gambia, Germany, Federal Republic of, Honduras\*, Italy, Japan, Liberia\*, Malaysia\*, Nepal\*, the Netherlands\*, Norway, Oman\*, Pakistan, the Philippines, Singapore\*, Somalia, Thailand\*, Togo, Turkey\* and the United Kingdom of Great Britain and Northern Ireland. Luxembourg\* subsequently joined the sponsors.

197. Statements relating to the draft resolution were made by the representative of Bulgaria (also on behalf of the Byelorussian Soviet Socialist Republic, the German Democratic Republic and the Union of Soviet Socialist Republics), and by the observers for Democratic Kampuchea and Viet Nam.

198. At the request of the representative of Bulgaria, a roll-call vote was taken on draft resolution E/CN.4/1988/L.8. The draft resolution was adopted by 31 votes to 7, with 3 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belgium, Botswana, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Nigeria, Norway, Pakistan, Peru, Philippines, Portugal, Rwanda, Sao Tome and Principe, Senegal, Somalia, Spain, 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, India, Nicaragua, Union of Soviet Socialist Republics.

Abstaining: Algeria, Iraq, Mexico.

The representative of Cyprus stated that his delegation was not participating in the vote, and subsequently the representative of Mozambique indicated that, had he been present, he would not have participated in the vote.

199. A statement in explanation of vote after the vote was made by the representative of Brazil.

200. For the text as adopted, see chapter II, section A, resolution 1988/6.

201. The representative of Nigeria introduced draft resolution E/CN.4/1988/L.9, sponsored by Afghanistan\*, Algeria, Angola\*, the Byelorussian Soviet Socialist Republic, Côte d'Ivoire\*, Cuba\*, the Gambia, Ghana\*, India, Mozambique, Nicaragua, Nigeria, the Philippines, Togo, the Ukrainian Soviet Socialist Republic\* and the United Republic of Tanzania\*. Subsequently Côte d'Ivoire\* and the Gambia withdrew their sponsorship, and Bulgaria, Czechoslovakia\*, Democratic Yemen\*, Ethiopia, Gabon\*, the German Democratic Republic, Peru, the Syrian Arab Republic\* and Viet Nam\* joined the sponsors.

202. The estimate of the administrative and programme budget implications (E/CN.4/1988/L.15) of draft resolution E/CN.4/1988/L.9 was read out. 1/

203. A statement relating to the estimate of the administrative and programme budget implications of the draft resolution was made by the representative of Venezuela.

204. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a roll-call vote was taken on draft resolution E/CN.4/1988/L.9. The draft resolution was adopted by 30 votes to 11, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Costa Rica.

The representative of Mozambique subsequently indicated that, had he been present, he would have voted in favour.

205. Statements in explanation of vote after the vote were made by the representatives of Brazil, Costa Rica and the United States of America.

206. For the text as adopted, see chapter II, section A, resolution 1988/7.

207. At the 32nd meeting, on 23 February 1988, the representative of Nigeria introduced draft resolution E/CN.4/1988/L.12, sponsored by Afghanistan\*, Algeria, Angola\*, Cuba\*, the Gambia, Ghana\*, India, Mozambique, Nicaragua, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, the Syrian Arab Republic\*, Togo, the United Republic of Tanzania\* and Yugoslavia. Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, Cyprus, Democratic Yemen\*, Egypt\*, Ethiopia, Gabon\*, the German Democratic Republic, the Libyan Arab Jamahiriya\*, Madagascar\*, Mongolia\*, Pakistan, Viet Nam\* and Yemen\* subsequently joined the sponsors.

208. At the request of the representative of France, separate votes were taken on operative paragraphs 3 and 13 of draft resolution E/CN.4/1988/L.12. At the request of the representative of Algeria, the votes were taken by roll-call.

209. Operative paragraph 3 was adopted by 31 votes to 10, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Costa Rica, Japan.

210. Operative paragraph 13 was adopted by 32 votes to 9, with 2 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Botswana, Japan.

211. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1988/L.12 as a whole. The draft resolution was adopted by 33 votes to 3, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, 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, Ireland, Italy, Japan, Portugal, Spain.

212. Statements in explanation of vote after the vote were made by the representatives of Botswana and Norway.

213. For the text as adopted, see chapter II, section A, resolution 1988/8.



X. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED  
TO ANY FORM OF DETENTION OR IMPRISONMENT

214. The Commission considered agenda item 10 and sub-items 10 (a), 10 (b) and 10 (c) at its 30th to 34th meetings, held from 22 to 24 February, and at its 52nd meeting, held on 8 March 1988. 2/

215. In relation to item 10, the Commission had before it the following documents:

Note by the Secretary-General on human rights in the administration of justice (E/CN.4/1988/15);

Letter dated 15 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights, transmitting a communication from the Comité Cubano pro Derechos Humanos (E/CN.4/1988/61);

Letter dated 25 February 1988 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/73);

Letter dated 24 February 1988 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/74);

Draft universal declaration on the independence of justice as submitted by Mr. L. M. Singhvi, Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1985/18/Add.5/Rev.1);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/4);

Written statement submitted by the International Confederation of Free Trade Unions, the International Youth and Student Movement for the United Nations and Zonta International, non-governmental organizations in consultative status (category I); the Arab Lawyers Union, the Indigenous World Association, the International Association of Democratic Lawyers, the International Federation of Human Rights, the International Federation of Women in Legal Careers, the International Federation Terre des Hommes, the International Fellowship of Reconciliation, the International Indian Treaty Council, the International Organization for the Elimination of All Forms of Racial Discrimination, Pax Christi, the Union of Arab Jurists, the Women's International League for Peace and Freedom, the World Student Christian Federation and the World University Service, non-governmental organizations in consultative status

(category II); and the Indian Council of South America, the International Federation of Rural Adult Catholic Movements, the International League for the Rights and Liberation of Peoples and the Parliamentary Association for Euro-Arab Co-operation, non-governmental organizations on the Roster (E/CN.4/1988/NGO/51);

Written statement submitted by Disabled People's International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/56);

Written statement submitted by Jaycees International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/70).

216. In the general debate on item 10, 3/ statements were made by the following members of the Commission: Argentina (32nd), Belgium (31st), Byelorussian Soviet Socialist Republic (30th), India (32nd), Ireland (32nd), Japan (30th), Nicaragua (30th), Nigeria (30th), Norway (31st), Portugal (31st), Philippines (32nd), Spain (30th), Union of Soviet Socialist Republics (31st), United Kingdom of Great Britain and Northern Ireland (32nd), United States of America (31st), Venezuela (32nd).

217. The Commission heard statements by the observers for: Austria (31st), Canada (30th), Cuba (32nd), Egypt (30th), Netherlands (31st), Zaire (31st).

218. A statement was also made by the representative of the South West Africa People's Organization (30th).

219. The Commission heard statements by the following non-governmental organizations: Amnesty International (33rd), Andean Commission of Jurists (33rd), Baha'i International Community (32nd), Christian Democratic International (32nd), Commission of the Churches on International Affairs of the World Council of Churches (32nd), Human Rights Advocates, Inc. (33rd), International Association of Democratic Lawyers (32nd), International Commission of Health Professionals for Health and Human Rights (32nd), International Commission of Jurists (32nd), International Federation of Human Rights (32nd), International Federation of Rural Adult Catholic Movements (33rd), International Federation of Women in Legal Careers (32nd), International Indian Treaty Council (33rd), International League for the Rights and Liberation of Peoples (32nd), International Movement for Fraternal Union among Races and Peoples (32nd), International Union of Students (32nd), International Organization for the Elimination of All Forms of Racial Discrimination (33rd), International Union of Young Christian Democrats (33rd), International Young Catholic Students (32nd), Latin American Federation of Associations of Relatives of Disappeared Detainees (32nd), Pax Christi (32nd), Pax Romana (33rd), Regional Council on Human Rights in Asia (30th), Service, Justice and Peace in Latin America (33rd), Women's International League for Peace and Freedom (33rd), World Union for Progressive Judaism (32nd), World University Service (32nd).

220. Statements in right of reply or equivalent to right of reply were made by the representatives of Argentina (34th), Bangladesh (34th), China (34th), Colombia (33rd), Iraq (33rd), the Philippines (34th), Portugal (34th) and Sri Lanka (34th), by the observers for Indonesia (33rd and 34th), Lebanon (34th), the Libyan Arab Jamahiriya (34th), Malaysia (33rd), Morocco (33rd), Uruguay (34th), and by the observer for the Republic of Korea (33rd).

221. At the 52nd meeting, on 8 March 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 10.

222. The representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution E/CN.4/1988/L.44, sponsored by Argentina, Austria\*, Canada\*, Colombia, Costa Rica, Finland\*, France, the Gambia, Germany, Federal Republic of, Italy, the Netherlands\*, New Zealand\*, Norway, the Philippines and the United Kingdom of Great Britain and Northern Ireland. Cyprus and Spain subsequently joined the sponsors.

223. The draft resolution was adopted without a vote.

224. For the text as adopted, see chapter II, section A, resolution 1988/33.

225. The representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution E/CN.4/1988/L.55, sponsored by Belgium, Bulgaria, Canada\*, Costa Rica, the Gambia, Germany, Federal Republic of, India, Japan, the Netherlands\*, Peru, Spain, Sri Lanka and the United Kingdom of Great Britain and Northern Ireland. Luxembourg\* subsequently joined the sponsors.

226. The draft resolution was adopted without a vote.

227. For the text as adopted, see chapter II, section A, resolution 1988/37.

228. The representative of France introduced draft resolution E/CN.4/1988/L.56, sponsored by Argentina, Costa Rica, France, Germany, Federal Republic of, Italy, Japan, the Philippines, Togo, the Union of Soviet Socialist Republics and the United States of America. Honduras\* subsequently joined the sponsors.

229. The draft resolution was adopted without a vote.

230. For the text as adopted, see chapter II, section A, resolution 1988/38.

231. The representative of the United Kingdom of Great Britain and Northern Ireland introduced draft resolution E/CN.4/1988/L.61, sponsored by Belgium, Canada\*, Costa Rica, France, the Gambia, Luxembourg\*, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland. Nicaragua and Senegal subsequently joined the sponsors.

232. The sponsors orally revised operative paragraph 2 of the draft resolution by replacing the words "to exercise peacefully" by the words "peacefully to exercise".

233. The representative of Nigeria proposed amending operative paragraph 2 of the draft resolution as revised by deleting the word "peacefully".

234. Statements relating to the proposed amendment were made by the representatives of Algeria, India, Nigeria and the United Kingdom of Great Britain and Northern Ireland.

235. The representative of Nigeria withdrew his proposal.

236. The draft resolution was adopted without a vote.

237. A statement in explanation of vote after the vote was made by the representative of India.

238. For the text as adopted, see chapter II, section A, resolution 1988/39.

239. The representative of Belgium introduced draft resolution E/CN.4/1988/L.64, sponsored by Argentina, Austria\*, Belgium, Canada\*, Cyprus, the Gambia, Germany, Federal Republic of, India, Italy, Luxembourg\*, Portugal, Togo and Yugoslavia. Nicaragua and the Philippines subsequently joined the sponsors.

240. The draft resolution was adopted without a vote.

241. For the text as adopted, see chapter II, section A, resolution 1988/40.

242. The representative of Portugal introduced draft resolution E/CN.4/1988/L.66, sponsored by Costa Rica, France, Lebanon\*, the Philippines, Portugal and Togo. The Federal Republic of Germany, Nicaragua and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

243. The draft resolution was adopted without a vote.

244. For the text as adopted, see chapter II, section A, resolution 1988/41.

245. On 3 March 1988, a draft resolution (E/CN.4/1988/L.68), which was subsequently withdrawn, was submitted by Canada\*, Norway and Spain. The draft resolution read as follows:

"The protection of human rights in situations of public emergency or internal violence"

"Gravely concerned about the large number of situations where internal violence causes extensive suffering and breaches of the principles of humanity and undermines the possibility of protecting human rights,

"Gravely concerned furthermore by the conduct of groups and individuals that resort to violence and thereby contribute to the suffering of innocent people in such situations,

"Alarmed by the potential risks which situations of internal violence may pose for regional and international peace, security and justice,

"Recalling its resolution 1983/18 of 22 February 1983, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to propose measures designed to ensure respect throughout the world for human rights and fundamental freedoms in situations where states of siege or emergency exist,

"Emphasizing in this regard the need for the identification and implementation of measures with a view to preventing violations of human rights and fundamental freedoms, in particular the protection of the life and physical and mental integrity of the individual,

"Being of the opinion that in situations of public emergency or internal violence, mechanisms of checks and balances for the protection of the fundamental right of the human person to life and physical and mental integrity will have a positive effect on the respect for human rights and principles of humanity,

"1. Encourages the Governments concerned to extend their full co-operation to international human rights and humanitarian bodies responding to situations of public emergency or internal violence;

"2. Underlines the need to examine further the question of elaborating effective mechanisms at the national and international level with a view to preventing breaches of human rights and principles of humanity in such situations;

"3. Recognizes in this regard the fundamental importance of the existence in each country of precise and effective national legislation for dealing with such situations in a manner consistent with the rule of law;

"4. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider the feasibility of elaborating a draft model law for situations of national emergency or internal violence and to prepare initially a check list containing elements to be included in such national legislation, paying due regard to mechanisms of checks and balances for the protection of the fundamental right of the human person to life and physical and mental integrity;

"5. Requests its special rapporteurs on torture and summary or arbitrary executions as well as the Working Group on Enforced or Involuntary Disappearances to devote special attention to the problems of preventing violations of human rights in situations of internal violence;

"6. Decides to consider the question of the protection of human rights in times of public emergency or internal violence at its forty-fifth session in the light of the consideration of the matter by the Sub-Commission on Prevention of Discrimination and Protection of Minorities."

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

246. In relation to agenda item 10 (a), the Commission had before it the following documents:

Report of the Secretary-General to the General Assembly on the United Nations Voluntary Fund for Victims of Torture (A/42/701);

Draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as submitted by Costa Rica in 1980 (E/CN.4/1409);

Note by the Secretary-General (E/CN.4/1988/16);

Report by the Special Rapporteur, Mr. P. Kooijmans, pursuant to Commission resolution 1987/29 (E/CN.4/1988/17 and Add.1);

Note by the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (E/CN.4/1988/70);

Inter-American Convention to Prevent and Punish Torture (E/CN.4/Sub.2/1987/12/Add.1, sect. II);

European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (E/CN.4/Sub.2/1987/12/Add.3).

247. In the general debate on item 10 (a), 3/ statements were made by the following members of the Commission: Argentina (32nd), Belgium (31st), Bulgaria (30th), Byelorussian Soviet Socialist Republic (30th), Cyprus (31st),

France (31st), German Democratic Republic (31st), India (32nd), Ireland (32nd), Italy (32nd), Japan (30th), Nicaragua (30th), Nigeria (30th), Norway (31st), Peru (32nd), Philippines (32nd), Portugal (31st), Senegal (30th), Spain (30th), United Kingdom of Great Britain and Northern Ireland (32nd), Union of Soviet Socialist Republics (31st), United States of America (31st), Venezuela (32nd).

248. The Commission heard statements by the observers for: Afghanistan (30th), Austria (31st), Canada (30th), Cuba (32nd), Egypt (30th), Netherlands (31st), Sweden (30th), Turkey (32nd), Zaire (31st). The observer for Switzerland (30th) also made a statement.

249. A statement was also made by the representative of the South West Africa People's Organization (30th).

250. The Commission heard statements by the following non-governmental organizations: Amnesty International (33rd), Andean Commission of Jurists (33rd), Baha'i International Community (32nd), Centre Europe-Tiers Monde (33rd), Christian Democratic International (32nd), Commission of the Churches on International Affairs of the World Council of Churches (32nd), International Association of Democratic Lawyers (32nd), International Commission of Health Professionals for Health and Human Rights (32nd), International Commission of Jurists (32nd), International Federation of Human Rights (32nd), International Federation of Rural Adult Catholic Movements (33rd), International Federation of Women in Legal Careers (32nd), International League for the Rights and Liberation of Peoples (32nd), International Movement for Fraternal Union among Races and Peoples (32nd), International Union of Students (32nd), International Organization for the Elimination of All Forms of Racial Discrimination (33rd), International Union of Young Christian Democrats (33rd), International Young Catholic Students (32nd), Pax Christi (32nd), Pax Romana (33rd), Service, Justice and Peace in Latin America (33rd), Women's International League for Peace and Freedom (33rd), World Union for Progressive Judaism (32nd), World University Service (32nd).

251. Statements in right of reply or equivalent to right of reply were made by the representatives of China (34th), Colombia (33rd), Iraq (33rd), the Philippines (34th) and Sri Lanka (34th), by the observers for Indonesia (33rd and 34th), Malaysia (33rd), Morocco (33rd) and Uruguay (34th), and by the observer for the Republic of Korea (33rd).

252. At the 52nd meeting, on 8 March 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 10 (a).

253. The representative of Belgium introduced draft resolution E/CN.4/1988/L.42, sponsored by Argentina, Austria\*, Belgium, Brazil, Canada\*, Costa Rica, Finland\*, France, Greece\*, Ireland, Italy, the Netherlands\*, Nicaragua, Norway, Peru, the Philippines, Portugal, Senegal, Spain, Switzerland\* and the United Kingdom of Great Britain and Northern Ireland. Cyprus, the Gambia and Luxembourg\* subsequently joined the sponsors.

254. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.95) of draft resolution E/CN.4/1988/L.42. 1/

255. An explanation of vote before the vote was made by the representative of the German Democratic Republic.

256. The draft resolution was adopted without a vote.

257. For the text as adopted, see chapter II, section A, resolution 1988/32.

258. The representative of Norway introduced draft resolution E/CN.4/1988/L.53, sponsored by Argentina, Austria\*, Belgium, Brazil, Canada\*, Costa Rica, Denmark\*, Finland\*, France, Germany, Federal Republic of, Greece\*, Japan, Kenya\*, the Netherlands\*, Nicaragua, Norway, Senegal, Spain, Sweden\*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Italy subsequently joined the sponsors.

259. The draft resolution was adopted without a vote.

260. For the text as adopted, see chapter II, section A, resolution 1988/35.

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

261. In relation to agenda item 10 (b), the Commission had before it the report of the Secretary-General (E/CN.4/1988/18).

262. In the general debate on item 10 (b), 3/ statements were made by the following members of the Commission: Argentina (32nd), Belgium (31st), Bulgaria (30th), Byelorussian Soviet Socialist Republic (30th), Cyprus (31st), France (31st), German Democratic Republic (31st), Ireland (32nd), Italy (32nd), Japan (30th), Nigeria (30th), Norway (31st), Philippines (32nd), Portugal (31st), Senegal (30th), Spain (30th), Union of Soviet Socialist Republics (31st), United Kingdom of Great Britain and Northern Ireland (32nd), Venezuela (32nd).

263. The Commission heard statements by the observers for: Afghanistan (30th), Austria (31st), Canada (30th), Egypt (30th), Netherlands (31st), Sweden (30th), Turkey (32nd), Zaire (31st). The observer for Switzerland (30th) also made a statement.

264. Statements were also made by the following non-governmental organizations: Baha'i International Community (32nd), International Commission of Health Professionals for Health and Human Rights (32nd), International Commission of Jurists (32nd), Pax Christi (32nd).

265. A statement was made by the South West Africa People's Organization (30th).



266. Statements in right of reply or equivalent to right of reply were made by the representatives of Colombia (33rd) and Togo (33rd) and by the observer for Uruguay (34th).

267. At the 52nd meeting, on 8 March 1988, the representative of Argentina introduced draft resolution E/CN.4/1988/L.30, sponsored by Argentina, Canada\*, the Netherlands\*, the Philippines and Togo. Austria\*, Costa Rica and Mexico subsequently joined the sponsors.

268. The fifth and sixth preambular paragraphs of the draft resolution, which read as follows:

"Convinced that the United Nations, having drafted and adopted these various instruments, has a special responsibility in regard to the unimpeded functioning of bodies established to monitor their implementation,

"Bearing in mind that the Economic and Social Council is called upon to consider annual reports on the activities of all such bodies,"

were orally revised by the sponsors.

269. At the same meeting, the draft resolution, as orally revised, was adopted without a vote.

270. A statement in explanation of vote after the vote was made by the representative of the United States of America.

271. For the text as adopted, see chapter II, section A, resolution 1988/31.

272. At the same meeting, the representative of Norway introduced draft resolution E/CN.4/1988/L.54, sponsored by Argentina, 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\*, Switzerland\* and the United Kingdom of Great Britain and Northern Ireland. Luxembourg\* subsequently joined the sponsors.

273. An explanation of vote before the vote was made by the representative of the German Democratic Republic.

274. The draft resolution was adopted without a vote.

275. For the text as adopted, see chapter II, section A, resolution 1988/36.

C. Question of enforced or involuntary disappearances

276. In relation to agenda item 10 (c), the Commission had before it the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1988/19 and Add.1).

277. At the 30th meeting, on 22 February 1988, Mr. Ivan Tosevski, Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, introduced the Group's report.

278. In the general debate on item 10 (c), 3/ statements were made by the following members of the Commission: Argentina (32nd), Belgium (31st), Cyprus (31st), France (32nd), India (32nd), Iraq (31st), Ireland (32nd), Japan (30th), Nicaragua (32nd), Nigeria (30th), Norway (31st), Peru (32nd), Philippines (32nd), Portugal (31st), Spain (30th), Sri Lanka (30th), Union of Soviet Socialist Republics (31st), United Kingdom of Great Britain and Northern Ireland (32nd).

279. The Commission heard statements by the observers for: Afghanistan (30th), Austria (31st), Bolivia (31st), Canada (30th), Cuba (32nd), Egypt (30th), the Netherlands (32nd), Sweden (30th), Zaire (31st). The observer for Switzerland (30th) also made a statement.

280. Statements were also made by the following non-governmental organizations: Amnesty International (33rd), Andean Commission of Jurists (33rd), Centre Europe-Tiers Monde (33rd), Christian Democratic International (32nd), Commission of the Churches on International Affairs of the World Council of Churches (32nd), International Association of Democratic Lawyers (32nd), International Federation of Human Rights (32nd), International Federation of Rural Adult Catholic Movements (33rd), International Indian Treaty Council (33rd), International League for the Rights and Liberation of Peoples (32nd), International Movement for Fraternal Union among Races and Peoples (32nd), International Organization for the Elimination of All Forms of Racial Discrimination (33rd), International Union of Students (32nd), Latin American Federation of Associations of Relatives of Disappeared Detainees (32nd), Pax Christi (32nd), Pax Romana (33rd), Service, Justice and Peace in Latin America (33rd), Women's International League for Peace and Freedom (33rd), World Union for Progressive Judaism (32nd), World University Service (32nd).

281. Statements in right of reply or equivalent to right of reply were made by the representatives of Colombia (33rd), Peru (34th), the Philippines (34th), Portugal (34th) and Sri Lanka (34th), and by the observers for Indonesia (33rd and 34th) and Lebanon (34th).

282. At the 52nd meeting, on 8 March 1988, the representative of France introduced draft resolution E/CN.4/1988/L.48, sponsored by Argentina, Austria\*, Belgium, Canada\*, Colombia, Costa Rica, France, the Gambia, Germany, Federal Republic of, Greece\*, Guatemala\*, Ireland, Italy, Japan, the Netherlands\*, Norway, Peru, the Philippines, Portugal, Senegal, Spain, Switzerland\*, Togo and the United Kingdom of Great Britain and Northern Ireland. Luxembourg\* subsequently joined the sponsors.

283. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.82) of draft resolution E/CN.4/1988/L.48. 1/

284. The draft resolution was adopted without a vote.

285. An explanation of vote after the vote was made by the representative of Mexico.

286. For the text as adopted, see chapter II, section A, resolution 1988/34.

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; NATIONAL INSTITUTIONS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

287. The Commission considered agenda item 11 at its 20th and 21st meetings, held on 15 February, at its 52nd meeting, held on 8 March, and at its 55th and 56th meetings, held on 10 March 1988. 2/

288. 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.4/1988/20 and Add.1);

Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian-Pacific region (E/CN.4/1988/39 and Add.1);

Report by the Special Rapporteur of the Sub-Commission, Mr. Asbjørn Eide, on the right to adequate food as a human right (E/CN.4/Sub.2/1987/23);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/36);

Written statement submitted by the International Alliance of Women - Equal Rights, Equal Responsibilities, the International Council of Women, Soroptimist International, the World Confederation of Labour and Zonta International, non-governmental organizations in consultative status (category I); the Arab Lawyers Union, Associated Country Women of the World, the International Association of Democratic Lawyers, the International Council of Jewish Women, the International Federation of Human Rights, the International Federation of University Women, the International Federation of Women in Legal Careers, the International Federation of Women Lawyers, the International Movement for Fraternal Union among Races and Peoples, the International Social Service, Pax Romana, Socialist International Women, the World Association of Girl Guides and Girl Scouts, the World Confederation of Organizations of the Teaching Profession, the World Federation of Methodist Women, the World Union of Catholic Women's Organizations, the World University Service and the World Young Women's Christian Association, non-governmental organizations in consultative status (category II); and the International League for the Rights and Liberation of Peoples and the International Press Institute, non-governmental organizations on the Roster (E/CN.4/1988/NGO/41).

289. In the general debate on this item, 3/ statements were made by the following members of the Commission: Argentina (20th), Belgium (20th), Byelorussian Soviet Socialist Republic (20th), India (21st), Ireland (20th), Norway (20th), Philippines (20th), Portugal (21st), Sri Lanka (21st), Togo (20th), Union of Soviet Socialist Republics (21st), United Kingdom of Great Britain and Northern Ireland (21st), United States of America (20th).

290. The Commission also heard statements by the following non-governmental organizations: Four Directions Council (21st), Christian Democratic International (21st), International Commission of Jurists (21st), Pax Romana (21st), International Federation of Human Rights (20th), World Association for the School as an Instrument of Peace (21st).

291. An informal open-ended working group was established by the Commission to elaborate views and proposals on the programme and methods of work of the Commission for submission to the Special Commission of the Economic and Social Council, as envisaged in Commission decision 1987/108.

292. At the 56th meeting, on 10 March 1988, the report of the working group (E/CN.4/1988/WG.7/WP.1/Rev.2) was introduced by its Chairman, Mr. F. Mezzalama. The representative of Ireland drew attention to some changes which it had been agreed should be made in the report, which was then approved, as corrected, as the Commission's report to the Special Commission of the Economic and Social Council (E/CN.4/1988/85 and Corr.1).

293. At the 52nd meeting, on 8 March 1988, the Commission adopted, without a vote, a draft resolution proposed orally by the Chairman.

294. For the text as adopted, see chapter II, section A, resolution 1988/30.

295. At the 55th meeting, on 10 March 1988, the representative of India introduced draft resolution E/CN.4/1988/L.16, sponsored by Bulgaria, India, Iraq, the Netherlands\*, Nigeria, Norway, Sri Lanka and the Union of Soviet Socialist Republics. Finland\* and Togo subsequently joined the sponsors.

296. At the 56th meeting, on 10 March 1988, draft resolution E/CN.4/1988/L.16 was adopted without a vote.

297. For the text as adopted, see chapter II, section A, resolution 1988/72.

298. At the 55th meeting, on 10 March 1988, the representative of Sri Lanka introduced draft resolution E/CN.4/1988/L.43, sponsored by China, the Philippines and Sri Lanka.

299. At the 56th meeting, on 10 March 1988, draft resolution E/CN.4/1988/L.43 was adopted without a vote.

300. For the text as adopted, see chapter II, section A, resolution 1988/73.

301. At the 55th meeting, on 10 March 1988, the representative of Ireland introduced draft resolution E/CN.4/1988/L.79, sponsored by Argentina, Bolivia\*, Canada\*, Colombia, Costa Rica, Egypt\*, Finland\*, France, the Gambia, India, Ireland, Jordan\*, Mexico, Morocco\*, the Netherlands\*, Norway, Peru, the Philippines, Senegal, Spain, Sweden\*, Switzerland\*, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia. Cyprus and Togo subsequently joined the sponsors.

302. The representative of Ireland orally revised operative paragraph 12 of the draft resolution, which read:

"Notes the establishment of the new Section for External Relations, Publications and Documentation in the Centre for Human Rights and expresses the hope that the Section will contribute to enhanced awareness of the work of the United Nations in the field of human rights and, in addition, urges the Section to co-ordinate its activities closely with those of the Department of Public Information, having due regard to their respective competences;"

303. At the 56th meeting, on 10 March 1988, draft resolution E/CN.4/1988/L.79, as orally revised, was adopted without a vote.

304. For the text as adopted, see chapter II, section A, resolution 1988/74.

305. At the same meeting, statements were made by the representatives of France, Ireland, Spain and Peru.

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

306. The Commission considered agenda item 12 and sub-item 12 (a) concurrently with item 5 (see chap. V) at its 41st meeting, held on 1 March, at its 44th to 48th meetings, held from 2 to 4 March, and at its 49th to 56th meetings, held from 7 to 10 March 1988. 2/ Sub-item 12 (b) was considered by the Commission in closed session, at its 41st to 44th meetings, held on 1 and 2 March 1988.

307. In connection with the consideration of item 12, the Commission had before it the following documents:

Letter dated 29 June 1987 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/42/376-S/18959);

Report of the Secretary-General on human rights in southern Lebanon submitted pursuant to Commission on Human Rights resolution 1987/54 (A/42/504);

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/42/641 and Corr.1);

Note by the Secretary-General transmitting to the General Assembly the 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/42/648);

Note by the Secretary General transmitting to the General Assembly the report on the situation of human rights in Afghanistan prepared by the Special Rapporteur of the Commission on Human Rights (A/42/667 and Corr.1);

Letter dated 16 February 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/43/153-S/19510);

Note verbale dated 30 July 1987 from the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva addressed to the Commission on Human Rights (E/CN.4/1988/12);

Report on summary or arbitrary executions submitted by the Special Rapporteur, Mr. S. Amos Wako, pursuant to Economic and Social Council resolution 1987/60 (E/CN.4/1988/22 and Add. 1 and 2);

Final report on the situation of human rights in El Salvador, submitted by Mr. José Antonio Pastor Ridruejo, in pursuance of the mandate conferred by Commission resolution 1987/51 (E/CN.4/1988/23);

Report on the human rights situation in the Islamic Republic of Iran by the Special Representative of the Commission, Mr. Reynaldo Galindo Pohl, pursuant to Commission resolution 1987/55 (E/CN.4/1988/24);

Report on the situation of human rights in Afghanistan prepared by the Special Rapporteur, Mr. Felix Ermacora, in accordance with Commission resolution 1987/58 (E/CN.4/1988/25);

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.4/1988/26);

Report of the Secretary-General submitted pursuant to Commission resolution 1987/50 (E/CN.4/1988/27);

Letter dated 2 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/54);

Letter dated 9 February 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/56);

Letter dated 2 February 1988 from the Permanent Representative of Lebanon to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/59);

Note by the Secretariat transmitting an excerpt from the annual report of the Inter-American Commission on Human Rights of the Organization of American States concerning the human rights situation in Guatemala (E/CN.4/1988/60);

Letter dated 15 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights, transmitting a communication from the Comité Cubano pro Derechos Humanos (E/CN.4/1988/61);

Letter dated 15 February 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/62);



Note verbale dated 22 February 1988 from the Permanent Mission of Afghanistan to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1988/67);

Note verbale dated 23 February 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting letters dated 22 February 1988 from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/69);

Letter dated 24 February 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/71);

Letter dated 26 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/77);

Letter dated 3 March 1988 from the Permanent Observer of the Republic of Korea to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/82);

Letter dated 9 March 1988 from the Permanent Representative of Zimbabwe to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/83);

Letter dated 10 March 1988 from the Deputy-Minister for Foreign Affairs of Cuba addressed to the Chairman of the Commission on Human Rights (E/CN.4/1988/84);

Letter dated 11 March 1988 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 from the Minister for Foreign Affairs and Defence on behalf of the Turkish Cypriot community (E/CN.4/1988/86);

Letter dated 11 March 1988 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.4/1988/87);

Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/6);

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/11);

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/13);

Written statements submitted by the International Association of Democratic Lawyers, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/22 and E/CN.4/1988/NGO/25);

Written statements submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/26, E/CN.4/1988/NGO/27 and E/CN.4/1988/NGO/59);

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/40);

Written statement submitted by the Lutheran World Federation, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/48);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/50);

Written statement submitted by the International Catholic Child Bureau, a non-governmental organization in consultative status (category II), and the Defense for Children International Movement, a non-governmental organization on the Roster (E/CN.4/1988/NGO/57);

Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in consultative status (category II) (E/CN.4/1988/58);

Written statements submitted by the World Peace Council, a non-governmental organization on the Roster (E/CN.4/1988/NGO/60 and E/CN.4/1988/NGO/62);

Written statement submitted by the World Muslim Congress, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/63);

Written statement submitted by the International Movement for Fraternal Union among Races and Peoples, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/65).

308. In the general debate on item 12 as a whole, 3/ statements were made by the following members of the Commission: Algeria (48th), Belgium (51st),

Brazil (50th), Bulgaria (48th and 51st), Byelorussian Soviet Socialist Republic (46th, 49th and 53rd), China (48th and 53rd), Colombia (46th and 47th), Costa Rica (44th), France (51st), German Democratic Republic (46th - also on behalf of Bulgaria, the Byelorussian Soviet Socialist Republic and the Union of Soviet Socialist Republics - and 50th and 52nd), Germany, Federal Republic of (51st), India (51st), Ireland (46th), Italy (52nd), Japan (46th and 52nd), Mexico (51st), Nicaragua (52nd), Nigeria (51st), Norway (50th), Pakistan (53rd), Portugal (48th), Rwanda (46th), Somalia (45th), Spain (51st), Sri Lanka (52nd), Union of Soviet Socialist Republics (48th and 50th), United Kingdom of Great Britain and Northern Ireland (47th), United States of America (50th and 52nd), Venezuela (50th), Yugoslavia (50th).

309. The Commission also heard statements by the observers for: Afghanistan (48th and 53rd), Australia (48th), Austria (52nd), Bolivia (47th), Burundi (44th), Canada (52nd), Cuba (53rd), Czechoslovakia (48th and 50th), Democratic Kampuchea (50th), Egypt (48th), El Salvador (47th), Finland (47th), Guatemala (45th), Hungary (48th), Iran (Islamic Republic of) (53rd), Israel (45th), Lebanon (46th), Mongolia (53rd), Netherlands (47th), Suriname (50th), Sweden (47th), Syrian Arab Republic (53rd), Turkey (47th), Ukrainian Soviet Socialist Republic (54th), Viet Nam (48th).

310. The Commission also heard statements by the observers for the Democratic People's Republic of Korea (50th), the Republic of Korea (45th) and Switzerland (50th).

311. A statement was made by the observer for the Office of the United Nations High Commissioner for Refugees (48th).

312. A statement was also made by the observer for the Inter-American Commission on Human Rights of the Organization of American States (44th).

313. The Commission also heard statements by the following non-governmental organizations: Amnesty International (48th), Andean Commission of Jurists (45th), Arab Lawyers Union (48th), Baha'i International Community (44th), Centre Europe-Tiers Monde (54th), Christian Democratic International (54th), Commission of the Churches on International Affairs of the World Council of Churches (45th), Disabled People's International (54th), Four Directions Council (44th), Grand Council of the Crees (of Quebec) (48th), Human Rights Advocates, Inc. (44th), Indian Council of South America (54th), Indigenous World Association (54th), International Association against Torture (44th), International Association for the Defence of Religious Liberty (54th), International Association of Democratic Lawyers (45th), International Commission of Jurists (44th and 45th), International Confederation of Free Trade Unions (54th), International Council of Jewish Women (44th), International Federation of Free Journalists (44th), International Federation of Human Rights (48th), International Federation Terre des Hommes (44th), International Fellowship of Reconciliation (48th), International Human Rights Internship Programme (44th), International Indian Treaty Council (54th), International League for the Rights and Liberation of Peoples (45th and 48th), International Movement for Fraternal Union among

Races and Peoples (54th), International Union of Students (50th), International Union of Young Christian Democrats (48th), International Youth and Student Movement for the United Nations (54th), Latin American Federation of Associations of Relatives of Disappeared Detainees (48th and 54th), Liberation (50th), Minority Rights Group (44th), Pax Christi (48th), Pax Romana (50th), Survival International Ltd. (54th), Union of Arab Jurists (54th), Women's International Democratic Federation (48th), Women's International League for Peace and Freedom (54th), World Alliance of Reformed Churches (44th), World Association of World Federalists (54th), World Confederation of Labour (48th), World Federation of Democratic Youth (50th), World Federation of Trade Unions (45th), World Movement of Mothers (50th), World Muslim Congress (45th), World Peace Council (45th), World Student Christian Federation (50th), World Union for Progressive Judaism (50th), World University Service (54th).

314. Statements in right of reply or equivalent to right of reply were made by the representatives of Brazil (57th), Bulgaria (56th), Iraq (57th), Pakistan (57th), Peru (57th), the Philippines (56th) and Portugal (57th), by the observers for Canada (56th), Democratic Yemen (57th), Indonesia (56th and 57th), Iran (Islamic Republic of) (57th), the Libyan Arab Jamahiriya (56th), Mauritania (56th), Morocco (56th and 57th), Panama (56th and 57th), Romania (56th), Sudan (57th), Tunisia (56th) and Zaire (57th) and by the observers for the Democratic People's Republic of Korea (56th), the Republic of Korea (56th and 57th) and Switzerland (56th).

#### Situation of human rights in El Salvador

315. In connection with this matter, the Commission had before it the following documents: A/42/641 and Corr.1, E/CN.4/1988/23, E/CN.4/1988/87, E/CN.4/1988/NGO/13, E/CN.4/1988/NGO/22, E/CN.4/1988/NGO/26.

316. At the 41st meeting, on 1 March 1988, the Special Representative, Mr. J. A. Pastor Ridruejo, introduced his report (E/CN.4/1988/23) to the Commission.

317. At the 55th meeting, on 10 March 1988, the representative of Peru introduced a draft resolution (E/CN.4/1988/L.24), sponsored by Argentina, Brazil, Colombia, Costa Rica, Mexico, Norway, Peru, Spain and Venezuela. Greece\* and the Netherlands\* subsequently joined the sponsors.

318. At the same meeting, the sponsors orally revised draft resolution E/CN.4/1988/L.24 as follows:

(a) In the eleventh preambular paragraph, the words "by both parties" were deleted between the words "resumption of which" and the words "within the framework";

(b) At the end of operative paragraph 4, the words "and the humanitarian rules of war are still not being complied with" were deleted;

(c) In operative paragraph 7, the words "insurgent forces" were replaced by the words "Frente Farabundo Martí para la Liberación Nacional-Frente Democrático Revolucionario";

319. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.99) of draft resolution E/CN.4/1988/L.24. 1/

320. The draft resolution, as orally revised, was adopted without a vote.

321. For the text as adopted, see chapter II, section A, resolution 1988/65.

#### Situation of human rights and fundamental freedoms in Cuba

322. In connection with this matter, the Commission had before it the following documents: E/CN.4/1988/54, E/CN.4/1988/61, E/CN.4/1988/77, E/CN.4/1988/84).

323. On 29 February 1988, a draft resolution (E/CN.4/1988/L.26) was submitted by the United States of America, 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,

"Recalling Economic and Social Council resolution 1235 (XLII) of 6 June 1967, in which the Council decided that the Commission on Human Rights might, in appropriate cases, and after careful consideration of the information made available to it, make a thorough study of situations which revealed a consistent pattern of violations of human rights,

"Aware that more than a million exiles and refugees, among them former political prisoners, have left Cuba, many giving as the major reason for leaving systematic abuses of basic human rights and fundamental freedoms,

"Aware also of reports prepared by various non-governmental organizations which have brought to public attention consistent and credible allegations of serious violations of human rights in Cuba, including arbitrary arrests and lengthy detention, forced labour, maltreatment and torture of political prisoners in violation of international norms,

"Noting the series of reports by the Inter-American Commission on Human Rights of the Organization of American States, such as its report

of 1986-1987 in which it stated that in Cuba "in the field of civil and political rights, there continues to be a lack of effective resources for individuals to assert their rights vis-à-vis the State",

"Further aware that the European Parliament, in a resolution adopted on 29 October 1987, called upon the Commission on Human Rights to consider the human rights situation in Cuba and noted that the Government of Cuba held large numbers of political prisoners in prisons, camps or psychiatric hospitals for attempting to defend or practise their right to freedom of expression, association or belief,

"Noting also that human rights activists inside Cuba report continuing and widespread violations of a broad range of basic human rights and fundamental freedoms, including the execution of persons charged with political offences,

"Notes further that the International Committee of the Red Cross does not have access to Cuba's prisons consistent with the Committee's normal procedures and practices,

"Noting favourably, however, that over the past year the Government of Cuba has released some political prisoners, indicated that it might release more such prisoners in 1988 and for the first time shown a limited toleration of domestic human rights organizations,

"1. Expresses concern over allegations of violations of basic human rights and fundamental freedoms in Cuba;

"2. Urges the Cuban authorities to permit the access of the International Committee of the Red Cross to Cuban prisons consistent with the Committee's normal procedures and practices;

"3. Requests the Secretary-General to bring the present resolution to the attention of the Government of Cuba, invite it to provide information concerning the allegations referred to therein and report to the Commission at its forty-fifth session on the results of his efforts in that regard;

"4. Decides to study carefully at its forty-fifth session the evolution of 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 54th meeting, on 9 March 1988, the representative of Colombia read out a draft decision (E/CN.4/1988/L.103), sponsored by Argentina, Colombia, Mexico and Peru.

325. At the same meeting, statements relating to the draft decision were made by the representative of the United States of America and by the observer for Cuba.

326. At the 55th meeting, on 10 March 1988, the representative of the United States of America introduced draft resolution E/CN.4/1988/L.26, sponsored by his country, and orally revised it as follows (subsequently issued in document E/CN.4/1988/L.26/Rev.1):

(a) The eighth preambular paragraph was deleted;

(b) A new paragraph was added as the last paragraph of the preamble, reading as follows:

"Noting as a positive development the invitation to visit Cuba extended to the Chairman of the forty-fourth session of the Commission by the Government of Cuba,";

(c) In operative paragraph 1 the word "allegations" was replaced by the word "reports";

(d) Operative paragraph 2 was deleted;

(e) Two new operative paragraphs were inserted after former operative paragraph 3 (new paragraph 2), to read as follows:

"3. Authorizes the Chairman of the Commission to appoint, in consultation with the Bureau, a working group of five members, acting in their personal capacity, to join him in examining the human rights situation in Cuba on the basis of all information that it will seek and receive from all sources, including a visit to Cuba in accordance with established procedures;

"4. Requests that the working group be provided with all necessary assistance to carry out its task and to enable it to submit a report on its findings to the Commission at its forty-fifth 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';"

and the remaining paragraph was renumbered accordingly.

327. At the 55th meeting, on 10 March 1988, the representative of Colombia moved, under rule 65, paragraph 1, of the rules of procedure of the functional commissions of the Economic and Social Council, that draft decision E/CN.4/1988/L.103 be given priority over the proposal of the United States of America.

328. A statement relating to the motion was made by the representative of Venezuela.

329. At the 56th meeting, on 10 March 1988, the Chairman made a statement.

330. At the same meeting, an estimate of the administrative and programme budget implications (E/CN.4/1988/L.104) of draft decision E/CN.4/1988/L.103 was read out. 1/

331. The draft decision was adopted without a vote.

332. Following the adoption of the decision, the Chairman made a statement relating to the implementation of the decision.

333. Statements were also made by the representatives of Argentina, Mexico, Peru, the United States of America and Venezuela and by the observer for Cuba.

334. For the text as adopted, see chapter II, section B, decision 1988/106.

335. After the adoption of decision 1988/106, and in the light of the statement by the Chairman, the representative of the United States of America withdrew draft resolution E/CN.4/1988/L.26/Rev.1.

Policy of human rights violations of the Government of the United States of America

336. At the 55th meeting, on 10 March 1988, a draft resolution (E/CN.4/1988/L.35), sponsored by Cuba and subsequently also by the Syrian Arab Republic\*, was introduced by the observer for Cuba. The draft resolution, which was subsequently withdrawn, 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,

"Conscious of the obligation of States to promote social progress and better standards of life in larger freedom and to encourage respect



for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, in keeping with the Charter of the United Nations,

"Convinced that all human rights and fundamental freedoms are indivisible and interdependent and that the same attention and urgent consideration must be given to the implementation, promotion and protection both of civil and political rights and of economic, social and cultural rights,

"Taking into account that no State must take political or economic measures of coercion jeopardizing the well-being and the exercise of the human rights, in particular the right to life, of the citizens of other States,

"Bearing in mind the statistics concerning the distribution of income, prison population, infant mortality, application of the death penalty, employment and unemployment, inter alia, in the United States of America, which demonstrate the policy of inequality and discrimination to which the black, Hispanic and indigenous minorities are subjected in that country,

"Noting with concern the overcrowding, unhealthy conditions, ill-treatment and torture of prisoners in many federal and state penitentiary establishments in the United States,

"Concerned at the many complaints by individuals and non-governmental organizations about the repressive acts of surveillance and persecution by United States government agencies committed against them, in open breach of the civil and political rights enunciated in the Constitution of the United States of America,

"Recognizing that the acts of State terrorism carried out in recent years by the present Government of the United States of America, such as the military invasion of a sovereign independent country, mining a nation's ports, bombing densely inhabited urban centres and recruiting, financing and leading armed mercenary gangs against sovereign States, ignoring the decisions of international legal organizations and bodies and institutions, apart from being at variance with international law, are a denial of the right to life and security of hundreds of thousands of individuals,

"Recognizing also that the maintenance by the United States of America - for more than a quarter of a century - of the illegal economic blockade against Cuba has meant, among other things, a prohibition on imports of medicaments, spare parts for medical equipment and other necessary supplies for public health care, as well as food and other resources indispensable for the population's development and well-being, in flagrant violation of the most elementary international humanitarian rules,

"1. Urges the authorities of the United States of America to respect and to impose respect for human rights and fundamental freedoms in that country, putting an end to racist and discriminatory attitudes against the ethnic minorities, and to promote proper treatment for all persons, particularly for the victims of the principal violations of human rights;

"2. Requests the Government of the United States of America to provide suitable and regular assistance to the poor population of that country, including the establishment of appropriate economic and social programmes intended to put an end to the degrading economic and social situation experienced by millions of its citizens who are living in poverty;

"3. Demands that the Government of the United States of America respect, and promote a proper approach to, the human rights and fundamental freedoms of detained persons, in accordance with international human rights instruments;

"4. Urges the Government of the United States of America to put an end to the repressive acts of surveillance and persecution carried out against individuals and non-governmental organizations by United States government agencies;

"5. Requests the Government of the United States of America to refrain from committing acts aimed at destabilizing other constitutionally established States in open breach of the principles of international law;

"6. Condemns the policy of the United States of America of violating the human rights of the people of Cuba by having set up for more than 25 years an economic blockade which prevents the entry into Cuba of medicaments, food and technology of all kinds necessary for life and development, in flagrant violation of the most elementary international humanitarian rules;

"7. Decides to consider, at its forty-fifth session, the question of the policy of human rights violations of the Government of the United States of America, 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'."

#### Situation of human rights in southern Lebanon

337. At the 55th meeting, on 10 March 1988, the representative of India introduced draft resolution E/CN.4/1988/L.36, sponsored by Algeria, India, Jordan\* and Lebanon\*. Bangladesh, Bulgaria, the Byelorussian Soviet Socialist

Republic, Czechoslovakia\*, Democratic Yemen\*, Iraq, Kuwait\*, Pakistan, Qatar\*, the Syrian Arab Republic\*, Tunisia\*, the Ukrainian Soviet Socialist Republic\* and Yemen subsequently joined the sponsors.

338. The representative of the United States of America requested a roll-call vote on draft resolution E/CN.4/1988/L.36. The draft resolution was adopted by 26 votes to 1, with 15 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Nicaragua, Nigeria, Pakistan, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Yugoslavia.

Against: United States of America.

Abstaining: Argentina, Belgium, Colombia, Costa Rica, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Peru, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, Venezuela.

339. Statements in explanation of vote after the vote were made by the representatives of Mexico and the United Kingdom of Great Britain and Northern Ireland.

340. For the text as adopted, see chapter II, section A, resolution 1988/66.

#### Question of human rights and fundamental freedoms in Afghanistan

341. In connection with this matter, the Commission had before it the following documents: A/42/667 and Corr.1, E/CN.4/1988/25, E/CN.4/1988/56, E/CN.4/1988/67, E/CN.4/1988/NGO/57.

342. At the 46th meeting, on 3 March 1988, the Special Rapporteur, Mr. F. Ermacora, introduced his report (E/CN.4/1988/25) to the Commission.

343. At the 55th meeting, on 10 March 1988, the representative of Belgium introduced draft resolution E/CN.4/1988/L.46, sponsored by Australia\*, Belgium, Canada\*, Costa Rica, Denmark\*, France, Germany, Federal Republic of, Greece\*, Ireland, Italy, Japan, Luxembourg\*, the Netherlands\*, Norway, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland.

344. At the same meeting, draft resolution E/CN.4/1988/L.74, sponsored by the Union of Soviet Socialist Republics, was introduced by the representative of that country. The draft resolution read as follows:

"Question of human rights and fundamental freedoms  
of the Afghans

"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 1949 Geneva Conventions,

"Emphasizing the obligation of the Governments of all States Members of the United Nations to respect the purposes and principles of the Charter of the United Nations, including the promotion of respect for human rights and fundamental freedoms, and to fulfil the responsibilities they have assumed under various international instruments,

"Noting the serious concern of the international community about the prolongation of the armed conflict in Afghanistan which is causing considerable losses of human life, serious damage to the economy of the country and further suffering for the Afghan people,

"Noting further the international community's interest in settling the situation in and around Afghanistan,

"Recalling the relevant resolutions of the General Assembly, the Economic and Social Council and the Commission,

"Having carefully examined the report of the Special Rapporteur, which acknowledges that certain improvements have taken place in the human rights situation in Afghanistan as a result of the implementation of the policy of achieving national reconciliation,

"Taking into account the international community's interest in ending the bloodshed and establishing peace in Afghanistan and in guaranteeing its status as a sovereign, independent and non-aligned State,

"Noting that the basis for settling the situation in Afghanistan is, inter alia, the equitable representation of all the people in its political structure and economic life, a general amnesty and renunciation of persecution for previous political activities, and respect for the religion of Islam,

"Taking note of such steps as the adoption of a new Constitution and of a law on freedom to set up political parties, and the holding of democratic presidential elections,

"Taking note also of the statement on willingness to withdraw foreign troops from Afghanistan,

"Expressing deep concern about the continuing suffering of the Afghan refugees,

"1. Commends the efforts of the Special Rapporteur to fulfil his mandate and takes note of his report on the situation of human rights and fundamental freedoms in Afghanistan;

"2. Welcomes the co-operation provided by the Government of Afghanistan to the Special Rapporteur in assuring him access to facilities for the conduct of his investigation during his visit to Afghanistan;

"3. Expresses its profound concern about reports by the Special Rapporteur of the continuing armed conflict that is causing suffering to the Afghan people and, inter alia, is having grave consequences for the civilian population, leading to an increasing number of killed and wounded and to the destruction of houses, mosques, cattle and crops;

"4. Notes that there is serious concern about the continuing suffering of the Afghan refugees;

"5. Reaffirms the right of the Afghan refugees to a safe and honourable return to their homes;

"6. Urges the relevant States to take the necessary steps to enable the Afghan refugees to implement without obstruction their freely-taken decision to return to their homeland;

"7. Calls upon all the members of the international community to intensify their efforts with a view to ending the armed interference in the affairs of Afghanistan, withdrawing foreign troops from the country and providing guarantees of its status as a sovereign, independent and non-aligned State;

"8. Emphasizes that the main objective of the international community's efforts to ensure favourable conditions for the settlement of the situation in and around Afghanistan is to guarantee the human rights and fundamental freedoms of the Afghan people;

"9. Calls upon all the parties concerned to continue to co-operate with the Secretary-General in his efforts to promote a political settlement of the situation in Afghanistan;

"10. Decides to extend for one year the mandate of the Special Rapporteur and requests him to report to the General Assembly at its forty-third session and to the Commission on Human Rights at its forty-fifth session on the situation of human rights and fundamental freedoms in Afghanistan, taking into account the impact of the process of national reconciliation on the human rights situation in that country;

"11. Calls upon the Government of Afghanistan to continue to co-operate fully with the Commission on Human Rights and its Special Rapporteur;

"12. Decides to examine this question at its forty-fifth session."

345. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.92) of draft resolution E/CN.4/1988/L.74, which applied also to draft resolution E/CN.4/1988/L.46. 1/

346. Statements relating to draft resolution E/CN.4/1988/L.46 were made by the representative of Pakistan and the observer for Afghanistan.

347. Statements in explanation of vote before the vote were made by the representatives of Bulgaria and the German Democratic Republic.

348. At the request of the representative of the Union of Soviet Socialist Republics, a roll-call vote was taken on draft resolution E/CN.4/1988/L.46. The draft resolution was adopted by 29 votes to 7, with 6 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belgium, Botswana, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, Nigeria, Norway, Pakistan, Peru, Philippines, Portugal, Rwanda, Senegal, Somalia, Spain, Togo, 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, Union of Soviet Socialist Republics.

Abstaining: Cyprus, Iraq, Nicaragua, Sao Tome and Principe, Sri Lanka, Yugoslavia.

349. A statement in explanation of vote after the vote was made by the representative of Argentina.

350. For the text as adopted, see chapter II, section A, resolution 1988/67.

351. The representative of Belgium 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.4/1988/L.74.

352. A statement on the motion was made by the representative of the Federal Republic of Germany.

353. The representative of the Union of Soviet Socialist Republics requested a roll-call vote on the motion, which was adopted by 26 votes to 8, with 7 abstentions. The voting was as follows:

- In favour: Argentina, Bangladesh, Belgium, Brazil, China, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Mexico, Norway, Pakistan, Philippines, Portugal, Rwanda, Senegal, Somalia, Spain, Togo, 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: Botswana, Cyprus, Iraq, Nigeria, Peru, Sri Lanka, Yugoslavia.

The representative of Sao Tome and Principe stated that his delegation was not participating in the vote.

#### Summary or arbitrary executions

354. In connection with this matter, the Commission had before it documents E/CN.4/1988/22 and Add.1 and 2 and E/CN.4/1988/NGO/58.

355. At the 41st meeting, on 1 March 1988, the Special Rapporteur, Mr. S. A. Wako, introduced his report (E/CN.4/1988/22 and Add.1 and 2) to the Commission.

356. On 3 March 1988, a draft resolution (E/CN.4/1988/L.67) was submitted by Costa Rica, Cyprus, Belgium, Denmark\*, Finland\*, France, the Gambia, Greece\*, Italy, the Netherlands\*, Norway, Senegal, Sweden\*, Togo and the United Kingdom of Great Britain and Northern Ireland. Spain and Switzerland\* subsequently joined the sponsors.

357. At the 55th meeting, on 10 March 1988, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.94) of draft resolution E/CN.4/1988/L.67. 1/

358. The draft resolution was adopted without a vote.

359. For the text as adopted, see chapter II, section A, resolution 1988/68.

#### Situation of human rights in the Islamic Republic of Iran

360. In connection with this matter, the Commission had before it the following documents: A/42/648, E/CN.4/1988/12, E/CN.4/1988/24, E/CN.4/1988/NGO/40.

361. At the 46th meeting, on 3 March 1988, the Special Representative, Mr. R. Galindo Pohl, introduced his report (E/CN.4/1988/24) to the Commission.

362. On 3 March 1988, a draft resolution (E/CN.4/1988/L.69) was submitted by Australia\*, Belgium, Canada\*, Denmark\*, Ireland, Luxembourg\*, the Netherlands\*, Norway, Portugal and the United Kingdom of Great Britain and Northern Ireland.

363. At the 55th meeting, on 10 March 1988, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.93) of draft resolution E/CN.4/1988/L.69. 1/

364. At the same meeting, the representative of Pakistan 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.4/1988/L.69.

365. Statements relating to the motion were made by the representatives of the Federal Republic of Germany, India and Norway.

366. The representative of Pakistan requested a roll-call vote on the motion, which was rejected by 18 votes to 10, with 9 abstentions. The voting was as follows:

In favour: Algeria, Bangladesh, China, Ethiopia, German Democratic Republic, India, Nicaragua, Pakistan, Somalia, Yugoslavia.

Against: Belgium, Colombia, Costa Rica, France, Germany, Federal Republic of, Iraq, Ireland, Italy, Japan, Mexico, Norway, Peru, Philippines, Portugal, Spain, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Cyprus, Gambia, Nigeria, Rwanda, Senegal, Sri Lanka, Venezuela.

The representatives of Botswana, Bulgaria, the Byelorussian Soviet Socialist Republic, Sao Tome and Principe and the Union of Soviet Socialist Republics stated that their delegations were not participating in the vote.

367. A statement relating to the draft resolution was made by the observer for the Islamic Republic of Iran.

368. At the same meeting, the representative of Pakistan requested a roll-call vote on draft resolution E/CN.4/1988/L.69. The draft resolution was adopted by 20 votes to 5, with 14 abstentions. The voting was as follows:



In favour: Belgium, Botswana, Colombia, Costa Rica, France, Germany, Federal Republic of, Iraq, Ireland, Italy, Mexico, Norway, Peru, Philippines, Portugal, Rwanda, Spain, 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, China, Cyprus, Gambia, German Democratic Republic, India, Japan, Nicaragua, Nigeria, Sao Tome and Principe, Senegal, Yugoslavia.

The representatives of Bulgaria, the Byelorussian Soviet Socialist Republic and the Union of Soviet Socialist Republics stated that their delegations were not participating in the vote.

369. A statement in explanation of vote after the vote was made by the representative of the United States of America.

370. For the text as adopted, see chapter II, section A, resolution 1988/69.

#### Human rights and mass exoduses

371. On 3 March 1988, a draft resolution (E/CN.4/1988/L.76) was submitted by Canada\*, Costa Rica, the Federal Republic of Germany, Ireland, Japan, Jordan\*, Pakistan and Togo.

372. At the 55th meeting, on 10 March 1988, the draft resolution was adopted without a vote.

373. For the text as adopted, see chapter II, section A, resolution 1988/70.

#### Right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms

374. At the 55th meeting, on 10 March 1988, 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.4/1988/26).

375. At the same meeting, the observer for Australia introduced draft resolution E/CN.4/1988/L.77, sponsored by Australia\*, Canada\*, Norway, Spain and the United States of America. Argentina, the Netherlands\*, the Philippines, Switzerland\* and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

376. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.87) of draft resolution E/CN.4/1988/L.77. 1/

377. At the same meeting, the draft resolution was adopted without a vote.

378. For the text as adopted, see chapter II, section A, resolution 1988/71.

#### A. Question of human rights in Cyprus

379. In connection with agenda item 12 (a), the Commission had before it documents E/CN.4/1988/27, E/CN.4/1988/86 and E/CN.4/1988/NGO/60.

380. Statements were made 3/ by the following members of the Commission: Algeria (50th), Argentina (50th), Belgium (52nd), Bulgaria (50th), Colombia (50th), Costa Rica (51st), Cyprus (50th), Ethiopia (49th), France (51st), German Democratic Republic (50th), India (50th), Ireland (46th), Italy (52nd), Japan (52nd), Mexico (51st), Nicaragua (52nd), Nigeria (51st), Pakistan (53rd), Portugal (48th), Spain (51st), Sri Lanka (50th), Union of Soviet Socialist Republics (50th), United Kingdom of Great Britain and Northern Ireland (47th), United States of America (50th), Yugoslavia (50th).

381. The Commission also heard statements by the observers for: Austria (52nd), Cuba (53rd), Czechoslovakia (50th), Greece (47th), Mongolia (53rd), Turkey (53rd), Viet Nam (48th).

382. Statements were also made by the following non-governmental organizations: International Youth and Student Movement for the United Nations (54th), Minority Rights Group (48th), World Peace Council (45th).

383. At the 57th meeting, on 11 March 1988, statements in right of reply or equivalent to right of reply were made by the representative of Cyprus and by the observer for Turkey.

384. At the 55th meeting, on 10 March 1988, the Chairman proposed that the debate on item 12 (a) should be postponed to the forty-fifth session of the Commission and be given due priority at that session. The Commission adopted that proposal without a vote, it being understood that action required by previous resolutions of the Commission on that subject would continue to remain operative, including the request to the Secretary-General that he provide a report to the Commission regarding their implementation. The observer for Turkey requested that his reservations with regard to the previous resolutions of the Commission be placed on record.

385. For the text as adopted, see chapter II, section B, decision 1988/105.

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

386. The Commission considered sub-item 12 (b) in closed session at its 41st to 44th meetings, held on 1 and 2 March 1988. It examined the human rights situations in Albania, Benin, Brunei Darussalam, Grenada, Honduras, Iraq, Pakistan, 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 44th meeting. He also announced that the human rights situations in Albania, Benin, Grenada, Iraq and Pakistan were no longer under consideration by the Commission under Council resolution 1503 (XLVIII), but that the decision taken by it in closed session in respect of Albania would be made public.

387. At its 43rd (closed) meeting, on 2 March 1988, the Commission, acting under paragraph 8 of Council resolution 1503 (XLVIII), decided to discontinue consideration of the human rights situation in Albania under the confidential procedure governed by that resolution and to take up consideration of the matter under the public procedure provided for by Commission resolution 8 (XXIII) and Council resolution 1235 (XLII). The decision, adopted in the form of a resolution, contains a recommendation to the Economic and Social Council that the confidential material concerning Albania that has been before the Commission under Council resolution 1503 (XLVIII) should no longer be restricted.

388. At the request of the representative of Ireland, a roll-call vote was taken on the draft resolution concerning Albania. The draft resolution was adopted by 15 votes to 11, with 17 abstentions. The voting was as follows:

- In favour: Argentina, Belgium, Colombia, Costa Rica, Cyprus, Ireland, Mexico, Norway, Peru, Philippines, Portugal, Rwanda, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.
- Against: Algeria, Bulgaria, Byelorussian Soviet Socialist Republic, China, Ethiopia, German Democratic Republic, Mozambique, Nicaragua, Pakistan, Union of Soviet Socialist Republics, Yugoslavia.
- Abstaining: Bangladesh, Botswana, Brazil, France, Gambia, Germany, Federal Republic of, India, Iraq, Italy, Japan, Nigeria, Sao Tome and Principe, Senegal, Somalia, Spain, Sri Lanka, Togo.

389. For the text as adopted, see chapter II, section A, resolution 1988/17.

390. At the 44th (closed) meeting, on 2 March 1988, 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-fifth 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 fortieth 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.

391. The Commission's attention was drawn to an estimate of the administrative and programme budget implications of the decision. 1/

392. For the text as adopted, see chapter II, section B, decision 1988/103.

393. 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.

394. At the 57th meeting, on 11 March 1988, 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 meeting prior to its forty-fifth session in 1989:

Mr. António da Costa Lobo (Portugal)  
Mr. Todor Dichev (Bulgaria)  
Mr. Aregba Polo (Togo)  
Mr. Armando Villanueva del Campo (Peru).

Subsequently the Chairman was informed that Mr. Roshdi Khaled Rashid (Iraq) had been designated by the Asian Group to serve on the Working Group.

XIII. QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

395. The Commission considered agenda item 13 at its 56th meeting, held on 10 March 1988. 2/

396. 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.4/1988/28);

Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I) (E/CN.4/1988/NGO/31);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/52);

Written statement submitted by the World Young Women's Christian Association, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/54);

Written statement submitted by the International Movement A.T.D. Fourth World, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/64);

Written statement submitted by Jaycees International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/69).

397. The observer for Poland read a statement on behalf of Mr. A. Lopatka, Chairman-Rapporteur of the working group on a draft convention on the rights of the child, introducing the report of the working group.

398. The observer for Poland introduced draft resolution E/CN.4/1988/L.86, sponsored by Afghanistan\*, Angola\*, Australia\*, Bangladesh, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada\*, Costa Rica, Côte d'Ivoire\*, Finland\*, France, the German Democratic Republic, Greece\*, Hungary\*, India, Lebanon\*, Mexico, Mozambique, Nepal\*, Norway, Panama\*, Peru, Poland\*, Romania\*, Somalia, Sweden\*, Uruguay\* and Zimbabwe\*. Austria\*, China, Colombia, Cuba\*, Cyprus, Democratic Yemen\*, Ghana\*, Italy, Luxembourg\*, Mongolia\*, the Netherlands\*, New Zealand\*, Portugal, the Syrian Arab Republic\*, the Ukrainian Soviet Socialist Republic\*, Venezuela and Yemen\* subsequently joined the sponsors.

399. The representative of Senegal, speaking also on behalf of the representatives of Algeria, Bangladesh, Ethiopia, the Gambia, Iraq, Mozambique, Nigeria, Peru, Rwanda, Sao Tome and Principe, Somalia and Togo and the observers for Angola, Egypt and Morocco, proposed rewording the tenth preambular paragraph, which read:

"Bearing in mind the need to take due account in the convention of the cultural background and needs of children of all countries, including developing countries, in order to achieve universal recognition of the rights contained therein,".

400. The amendment was accepted, and as a result Algeria, Argentina, Egypt\*, Ethiopia, the Gambia, the Libyan Arab Jamahiriya\*, Nicaragua, Nigeria and Senegal joined the sponsors of the draft resolution as amended.

401. Statements were made by the representatives of Algeria, Argentina, Belgium, Ethiopia, France, the United Kingdom of Great Britain and Northern Ireland and Venezuela and by the observers for Egypt, the Libyan Arab Jamahiriya and the Syrian Arab Republic.

402. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.91) of draft resolution E/CN.4/1988/L.86. 1/

403. The draft resolution, as amended, was adopted without a vote.

404. For the text as adopted, see chapter II, section A, resolution 1988/75.

405. The Chairman, on behalf of the Chairman-Rapporteur of the working group on a draft convention on the rights of the child, introduced a draft resolution entitled "Prevention of the disappearance of children".

406. The draft resolution was adopted without a vote.

407. For the text as adopted, see chapter II, section A, resolution 1988/76.

XIV. MEASURES TO IMPROVE THE SITUATION AND ENSURE THE  
HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

408. The Commission considered agenda item 14 at its 56th meeting, held on 10 March 1988. 2/

409. The Commission had before it the reports of the General Assembly's open-ended Working Group on the Drafting of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families (A/C.3/42/1 and A/C.3/42/6).

410. The representative of Mexico introduced draft resolution E/CN.4/1988/L.71, sponsored by Algeria, Argentina, Bolivia\*, Colombia, Cuba\*, Egypt\*, Greece\*, India, Italy, Mexico, Morocco\*, Nicaragua, the Philippines, Portugal, Senegal, Spain, Tunisia\*, Turkey\* and Yugoslavia.

411. The draft resolution was adopted without a vote.

412. Statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany and the United States of America.

413. For the text as adopted, see chapter II, section A, resolution 1988/77.

XV. HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

414. The Commission considered agenda item 15 at its 40th and 41st meetings, held on 29 February and 1 March, and at its 54th meeting, held on 9 March 1988. 2/

415. The Commission had before it the following documents:

Report of the Secretary-General prepared in accordance with Commission resolution 1986/10 (E/CN.4/1988/29);

Information submitted by the United Nations University pursuant to Commission resolution 1986/9 (E/CN.4/1988/48);

Written statement submitted by the World Health Organization (E/CN.4/1988/66);

Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/14);

Written statement submitted by the International Alliance of Women - Equal Rights, Equal Responsibilities and Zonta International, non-governmental organizations in consultative status (category I); the International Council of Jewish Women, the International Federation of Women Lawyers, the International Movement for Fraternal Union among Races and Peoples, the Women's International League for Peace and Freedom and the World Federation of Methodist Women, non-governmental organizations in consultative status (category II); and the Medical Women's International Association, a non-governmental organization on the Roster (E/CN.4/1988/NGO/47).

416. In the general debate on this item, 3/ statements were made by the following members of the Commission: Brazil (41st), Bulgaria (41st), Byelorussian Soviet Socialist Republic (40th), German Democratic Republic (41st), Japan (41st), United Kingdom of Great Britain and Northern Ireland (40th), Union of Soviet Socialist Republics (40th), Yugoslavia (41st).

417. The Commission also heard statements by the observers for: Afghanistan (41st), Mongolia (41st), Ukrainian Soviet Socialist Republic (41st).

418. A statement was made by the observer for the World Health Organization (41st).

419. The Commission also heard statements by the following non-governmental organizations: Four Directions Council (40th), International Commission of Jurists (41st), Pax Romana (41st), World Federation for Mental Health (41st), World Union for Progressive Judaism (41st).



420. At its 54th meeting, on 9 March 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 15.

421. The representative of Japan introduced draft resolution E/CN.4/1988/L.70, sponsored by Japan and Yugoslavia.

422. The draft resolution was adopted without a vote.

423. For the text as adopted, see chapter II, section A, resolution 1988/59.

424. The representative of the Union of Soviet Socialist Republics introduced draft resolution E/CN.4/1988/L.73, sponsored by Afghanistan\*, Angola\*, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba\*, Czechoslovakia\*, the German Democratic Republic, Hungary\*, Mongolia\*, Mozambique, Nicaragua, Poland\*, Romania\*, the Syrian Arab Republic\*, the Ukrainian Soviet Socialist Republic\*, the Union of Soviet Socialist Republics and Viet Nam\*.

425. At the request of the representative of Norway, a roll-call vote was taken on the draft resolution, which was adopted by 30 votes to 9, with 4 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Gambia, Ireland, Senegal, Spain.

426. For the text as adopted, see chapter II, section A, resolution 1988/60.

427. The representative of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1988/L.75, sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia\*, the German Democratic Republic, Poland\*, Romania\* and the Ukrainian Soviet Socialist Republic\*.

428. At the request of the representative of Norway, a roll-call vote was taken on the draft resolution, which was adopted by 30 votes to none, with 13 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Gambia, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Portugal, Senegal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

429. For the text as adopted, see chapter II, section A, resolution 1988/61.

430. At the same meeting, the Commission considered draft resolution X recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

431. The representative of the United Kingdom of Great Britain and Northern Ireland introduced amendments (E/CN.4/1988/L.90) to draft resolution X. The amendments were sponsored by Belgium, Colombia, Costa Rica, the Federal Republic of Germany, Italy, Luxembourg\*, Norway, the Philippines and the United Kingdom of Great Britain and Northern Ireland, and subsequently also by the United States of America.

432. The amendments were adopted without a vote.

433. The draft resolution, as amended, was adopted without a vote.

434. For the text as adopted, see chapter II, section A, resolution 1988/62.

XVI. IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

435. The Commission considered agenda item 16 concurrently with items 6, 7 and 17 (see chaps. VI, VII and XVII) at its 13th to 20th meetings, held from 10 to 15 February, and at its 40th meeting, held on 29 February 1988. 2/

436. 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.4/1988/30);

Reports submitted by States parties under article VII of the Convention (E/CN.4/1988/30/Add.1-8);

Note by the Secretary-General transmitting views and information submitted by States parties in accordance with Commission resolution 1987/11 (E/CN.4/1988/31 and Add.1-3);

Report of the Group of Three established under the Convention (E/CN.4/1988/32);

Written statement submitted by Jaycees International, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/71).

437. At the 16th meeting, on 11 February 1988, Mr. G. A. Vargas, Chairman-Rapporteur of the Group of Three, introduced the report of the Group on its eleventh session (E/CN.4/1988/32).

438. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (15th), Argentina (17th), Bangladesh (15th), Belgium (16th), Bulgaria (18th), Byelorussian Soviet Socialist Republic (14th), China (16th), Cyprus (18th), Ethiopia (16th), Iraq (17th), Mexico (17th), Nicaragua (18th), Nigeria (16th), Pakistan (18th), Philippines (18th), Somalia (16th), Togo (18th), Union of Soviet Socialist Republics (17th), Venezuela (18th), Yugoslavia (15th).

439. The Commission also heard statements by the observers for: Afghanistan (14th), Cuba (18th), Czechoslovakia (19th), Egypt (18th), Hungary (19th), Mongolia (20th), Morocco (16th), Romania (19th), Ukrainian Soviet Socialist Republic (18th), United Republic of Tanzania (20th).

440. A statement was made by Pax Romana, a non-governmental organization.

441. At the 40th meeting, on 29 February 1988, the representative of Ethiopia introduced draft resolution E/CN.4/1988/L.17, sponsored by Afghanistan\*, Algeria, Angola\*, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia\*, Egypt\*, Ethiopia, the Gambia, the German Democratic Republic,

Ghana\*, India, the Libyan Arab Jamahiriya\*, Mozambique, Nicaragua, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Uganda\*, the Union of Soviet Socialist Republics, the United Republic of Tanzania\* and Yugoslavia. The Islamic Republic of Iran\*, Mongolia\*, Pakistan, the Syrian Arab Republic\*, the Ukrainian Soviet Socialist Republic\* and Zimbabwe\* subsequently joined the sponsors.

442. The representative of the Federal Republic of Germany requested a separate vote on the following group of paragraphs: the sixth, seventh, ninth, twelfth and thirteenth preambular paragraphs and operative paragraphs 8, 9, 14 and 15. At the request of the representative of Algeria, the vote was taken by roll-call. The sixth, seventh, ninth, twelfth and thirteenth preambular paragraphs and operative paragraphs 8, 9, 14 and 15 were adopted by 31 votes to 7, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

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

Abstaining: Brazil, Ireland, Japan, Norway, Spain.

443. At the request of the representative of the United States of America, a roll-call vote was taken on draft resolution E/CN.4/1988/L.17 as a whole. The draft resolution was adopted by 32 votes to none, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Bangladesh, Botswana, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, China, Colombia, Costa Rica, Cyprus, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Mexico, Mozambique, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Togo, Union of Soviet Socialist Republics, Venezuela, Yugoslavia.

Against: None.

Abstaining: Belgium, France, Germany, Federal Republic of, Ireland, Italy, Japan, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

444. Statements in explanation of vote after the vote were made by the representatives of the Federal Republic of Germany, Ireland, Spain and the United States of America.

445. For the text as adopted, see chapter II, section A, resolution 1988/14.

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

446. The Commission considered item 17 concurrently with items 6, 7 and 16 (see chaps. VI, VII and XVI) at its 13th to 20th meetings, held from 10 to 15 February, and at its 40th meeting, held on 29 February 1988. 2/

447. The Commission had before it the following documents:

Study on the effects of racial discrimination in the field of education, training and employment as it affects the children of minorities, in particular those of migrant workers: report of the Secretary-General (A/42/492);

Report of the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (A/42/493);

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.4/1988/2);

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.4/1988/33);

Annual report on racial discrimination submitted by the International Labour Organisation (E/CN.4/1988/34);

Annual report on racial discrimination submitted by the United Nations Educational, Scientific and Cultural Organization (E/CN.4/1988/35).

448. In the general debate on this item, 3/ statements were made by the following members of the Commission: Algeria (15th), Argentina (17th), Belgium (16th), Botswana (15th), Brazil (16th), Bulgaria (18th), China (16th), Cyprus (18th), France (17th), Italy (17th), Japan (17th), Mexico (17th), Norway (also on behalf of the observers for Denmark, Finland, Iceland and Sweden) (14th), Pakistan (18th), Philippines (18th), Portugal (15th), Somalia (16th), Togo (18th), Union of Soviet Socialist Republics (17th), United Kingdom of Great Britain and Northern Ireland (15th).

449. The Commission also heard statements by the observers for: Afghanistan (14th), Czechoslovakia (19th), Egypt (18th), Hungary (19th),

Israel (18th), Libyan Arab Jamahiriya (19th), Morocco (16th), Sudan (19th), Syrian Arab Republic (20th), Ukrainian Soviet Socialist Republic (18th), United Republic of Tanzania (20th).

450. Statements were also made by the following non-governmental organizations: Baha'i International Community (14th), Four Directions Council (14th), Indigenous World Association (14th), International Organization for the Elimination of All Forms of Racial Discrimination (20th), Women's International Democratic Federation (15th), World Union for Progressive Judaism (14th).

451. A statement in right of reply was made by the representative of Ethiopia (16th).

452. At the 40th meeting, on 29 February 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 17.

453. Draft resolution IV recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A) was adopted without a vote.

454. For the text as adopted, see chapter II, section A, resolution 1988/15.

455. The representative of Algeria introduced draft resolution E/CN.4/1988/L.18, sponsored by Algeria, Angola\*, Côte d'Ivoire\*, Cuba\*, Egypt\*, Ethiopia, Gabon\*, Ghana\*, Iraq, Kenya\*, the Libyan Arab Jamahiriya\*, Mauritania\*, Mozambique, Rwanda, Senegal, Togo, Tunisia\*, the United Republic of Tanzania\* and Zimbabwe\*. Afghanistan\*, the Islamic Republic of Iran\*, Nicaragua, Nigeria, Somalia and the Syrian Arab Republic\* subsequently joined the sponsors.

456. The draft resolution was adopted without a vote.

457. A statement in explanation of vote after the vote was made by the representative of the United States of America.

458. For the text as adopted, see chapter II, section A, resolution 1988/16.

459. At the same meeting, the Commission decided to take no action on draft resolution III recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

XVIII. STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

460. The Commission considered item 18 concurrently with item 8 (see chap. VIII) at its 21st to 26th meetings, held from 16 to 18 February, at its 28th meeting, held on 19 February, and at its 49th meeting, held on 7 March 1988. 2/

461. 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/42/450);

Note verbale dated 17 February 1988 from the Permanent Mission of Bulgaria to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a joint statement by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics (E/CN.4/1988/65);

Note by the Secretary-General on the reservations, declarations and objections relating to the International Covenant on Economic, Social and Cultural Rights (E/C.12/1988/1);

Note by the Secretary-General on the reservations, declarations, notifications and objections relating to the International Covenant on Civil and Political Rights and the Optional Protocol thereto (CCPR/C/2/Rev.1);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/37).

462. In the general debate on this item 3/ statements were made by the following members of the Commission: Belgium (24th), Bulgaria (also on behalf of the Byelorussian Soviet Socialist Republic, the German Democratic Republic and the Union of Soviet Socialist Republics and of the observers for Czechoslovakia, Poland, Romania and the Ukrainian Soviet Socialist Republic) (22nd), Cyprus (24th), Germany, Federal Republic of (22nd), Iraq (24th), Ireland (21st), Italy (24th), Nicaragua (24th), Norway (22nd), Philippines (24th), Portugal (23rd), Spain (24th), Union of Soviet Socialist Republics (24th), United Kingdom of Great Britain and Northern Ireland (23rd).

463. The Commission heard statements by the observers for: Afghanistan (22nd), Australia (24th), Austria (23rd), Czechoslovakia (24th), Hungary (24th), Netherlands (24th), Sweden (22nd), Ukrainian Soviet Socialist Republic (24th).



464. Statements were also made by the following non-governmental organizations: Amnesty International (25th), Inter-American Press Association (22nd), International Commission of Health Professionals for Health and Human Rights (25th), International Federation of Newspaper Publishers (22nd), International Press Institute (22nd), Inter-Parliamentary Union (25th), World Union for Progressive Judaism (22nd).

465. Statements in right of reply or equivalent to right of reply were made by the representative of the Philippines (28th) and by the observer for Cuba (22nd).

466. At the 49th meeting, on 7 March 1988, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 18.

467. The representative of the Federal Republic of Germany introduced draft decision E/CN.4/1988/L.25, submitted by his country and subsequently also sponsored by Argentina and the Netherlands\*.

468. The draft decision was adopted without a vote.

469. For the text as adopted, see chapter II, section B, decision 1988/104.

470. The representative of Norway introduced draft resolution E/CN.4/1988/L.28, sponsored by Argentina, Austria\*, the Byelorussian Soviet Socialist Republic, Canada\*, Costa Rica, Cyprus, Denmark\*, Finland\*, the German Democratic Republic, Italy, the Netherlands\*, Nicaragua, Norway, Peru, Senegal, Spain and the United Kingdom of Great Britain and Northern Ireland. Hungary\* subsequently joined the sponsors.

471. The draft resolution was adopted without a vote.

472. For the text as adopted, see chapter II, section A, resolution 1988/27.

473. In view of the adoption of resolution 1988/27, the Commission decided to take no action on draft resolution I recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

474. At the same meeting, the representative of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1988/L.29, sponsored by his country and Poland\*.

475. The draft resolution was adopted without a vote.

476. For the text as adopted, see chapter II, section A, resolution 1988/28.

477. A draft resolution (E/CN.4/1988/L.30) was submitted under agenda items 10 (b) and 18 and was considered under item 10 (b) (see chap. X).

XIX. REPORT OF THE SUB-COMMISSION ON PREVENTION OF  
DISCRIMINATION AND PROTECTION OF MINORITIES  
ON ITS THIRTY-NINTH SESSION

478. The Commission considered agenda item 19 at its 36th to 38th meetings, held on 25 and 26 February, and at its 52nd and 54th meetings, held on 8 and 9 March 1988. 2/

479. The Commission had before it the following documents:

Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session (E/CN.4/1988/37 and Corr.1);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/38);

Written statement submitted by the International Alliance of Women - Equal Rights, Equal Responsibilities, the International Council of Women, Soroptimist International, the World Confederation of Labour and Zonta International, non-governmental organizations in consultative status (category I); the Arab Lawyers Union, Associated Country Women of the World, the International Association of Democratic Lawyers, the International Council of Jewish Women, the International Federation of Human Rights, the International Federation of University Women, the International Federation of Women in Legal Careers, the International Federation of Women Lawyers, the International Movement for Fraternal Union among Races and Peoples, the International Social Service, Pax Romana, Socialist International Women, the World Association of Girl Guides and Girl Scouts, the World Confederation of Organizations of the Teaching Profession, the World Federation of Methodist Women, the World Union of Catholic Women's Organizations, the World University Service and the World Young Women's Christian Association, non-governmental organizations in consultative status (category II); and the International League for the Rights and Liberation of Peoples and the International Press Institute, non-governmental organizations on the Roster (E/CN.4/1988/NGO/41);

Written statement submitted by the International Youth and Student Movement for the United Nations, the World Federation of Democratic Youth and the Women's International Democratic Federation, non-governmental organizations in consultative status (category I); the Afro-Asian People's Solidarity Organization, the Anti-Slavery Society for the Protection of Human Rights, the Christian Peace Conference, the Commission of the Churches on International Affairs of the World Council of Churches, the Four Directions Council, Human Rights Advocates, Inc., the Indigenous World Association, the International Indian Treaty Council, the Women's International League for Peace and Freedom and the

World Council of Indigenous Peoples, non-governmental organizations in consultative status (category II) and the Indian Council of South America, the International League for the Rights and Liberation of Peoples and the World Peace Council, non-governmental organizations on the Roster (E/CN.4/1988/NGO/46);

Written statement submitted by the Anti-Slavery Society for the Protection of Human Rights and Pax Christi, non-governmental organizations in consultative status (category II) (E/CN.4/1988/NGO/55).

480. In the general debate on this item, 3/ statements were made by the following members of the Commission: Belgium (36th), Brazil (36th), China (37th), Cyprus (36th), France (37th), German Democratic Republic (36th), Germany, Federal Republic of (36th), India (37th), Ireland (36th), Norway (37th), Portugal (36th), Philippines (37th), Sri Lanka (36th), Spain (36th), United Kingdom of Great Britain and Northern Ireland (36th), Union of Soviet Socialist Republics (36th), United States of America (37th) and Venezuela (38th).

481. The Commission also heard statements by the observers for: Afghanistan (36th), Australia (37th), Austria (37th), Canada (37th), Israel (36th), Mauritania (36th), Netherlands (36th).

482. The observer for the International Labour Organisation (36th) made a statement.

483. Statements were also made by the following non-governmental organizations: Andean Commission of Jurists (37th), Anti-Slavery Society for the Protection of Human Rights (37th), Commission of the Churches on International Affairs of the World Council of Churches (38th), Co-ordinating Board of Jewish Organizations (36th), Friends World Committee for Consultation (36th), Four Directions Council (36th), Grand Council of the Crees (of Quebec) (36th), Indigenous World Association (37th), International Abolitionist Federation (37th), International Commission of Jurists (36th), International Movement for Fraternal Union among Races and Peoples (38th), International Organization for the Elimination of All Forms of Racial Discrimination (38th), Pax Christi (37th), Pax Romana (37th), World Jewish Congress (36th), World Union for Progressive Judaism (38th).

484. A statement was also made by Prince Sadruddin Aga Khan, Co-Chairman of the Independent Commission on International Humanitarian Issues (37th).

485. At the 38th meeting, on 26 February 1988, statements in right of reply or equivalent to right of reply were made by the representative of Ethiopia and the observer for the Syrian Arab Republic.

486. At its 52nd meeting, on 8 March 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 19.

487. The observer for the Netherlands introduced draft resolution E/CN.4/1988/L.49, sponsored by Belgium, Costa Rica, France, the Netherlands\*, Norway and the Philippines. Luxembourg\*, Nicaragua, Togo and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors. The observer for the Netherlands orally revised the draft resolution by deleting the parentheses around the word "young" in operative paragraph 5 of the draft resolution recommended to the Economic and Social Council for adoption.

488. The draft resolution, as orally revised, was adopted without a vote.

489. For the text as adopted, see chapter II, section A, resolution 1988/42.

490. The representative of the Federal Republic of Germany introduced draft resolution E/CN.4/1988/L.52, sponsored by Austria\*, Belgium, the Federal Republic of Germany, Spain and the United Kingdom of Great Britain and Northern Ireland. Canada\* subsequently joined the sponsors.

491. The draft resolution was adopted without a vote.

492. For the text as adopted, see chapter II, section A, resolution 1988/43.

493. The representative of Norway introduced draft resolution E/CN.4/1988/L.58, sponsored by Argentina, Canada\*, China, Cuba\*, Denmark\*, Finland\*, the German Democratic Republic, Honduras\*, the Netherlands\*, New Zealand\*, Nicaragua, Norway, Peru, Sweden\* and the United Republic of Tanzania\*.

494. The draft resolution was adopted without a vote.

495. For the text as adopted, see chapter II, section A, resolution 1988/44.

496. The representative of France introduced draft resolution E/CN.4/1988/L.60, sponsored by Argentina, Belgium, France, Germany, Federal Republic of, the Netherlands\*, Norway, Peru, Senegal and the United Kingdom of Great Britain and Northern Ireland. Spain and the United States of America subsequently joined the sponsors.

497. The draft resolution was adopted without a vote.

498. For the text as adopted, see chapter II, section A, resolution 1988/45.

499. The observer for Canada introduced draft resolution E/CN.4/1988/L.62 sponsored by Belgium, Canada\*, Luxembourg\*, Norway and the United Kingdom of Great Britain and Northern Ireland.

500. The sponsors orally revised the draft resolution as follows:

(a) In the title, the word "similar" was replaced by the words "other constructive";

(b) Operative paragraphs 1 and 2, which read:

"1. Recommends to the Economic and Social Council that it authorize the appointment of Mr. Miguel Alfonso Martínez as Special Rapporteur with the mandate of preparing an outline on the possible purposes, scope and sources of a study to be conducted on the current and potential significance of treaties, agreements and similar de facto arrangements for the promotion and protection of the human rights and fundamental freedoms of indigenous populations in the contemporary context, and on the relevant conditions in the absence of any such arrangements;

"2. Requests the Special Rapporteur to prepare such an outline, giving particular attention to the ongoing development of universally relevant standards and the need to develop innovative, forward-looking approaches to relationships between indigenous populations and Governments, and to submit it to the Sub-Commission for consideration by the Working Group on Indigenous Populations at its sixth session together with the views expressed by Governments and other parties interested in the study;"

were reworded;

(c) A new operative paragraph 3 was added and the remaining operative paragraphs were renumbered accordingly.

501. At the request of the representatives of Peru and Venezuela, consideration of the revised draft resolution was deferred.

502. At the 54th meeting, on 9 March 1988, the Commission had before it the revised draft resolution (E/CN.4/1988/L.62/Rev.1), sponsored by Belgium, Canada\*, Norway and the United Kingdom of Great Britain and Northern Ireland.

503. The estimate of the administrative and programme budget implications of the revised draft resolution is the same as that relating to Sub-Commission resolution 1987/17 appearing in the report of the Sub-Commission (E/CN.4/1988/37, annex II).

504. The draft resolution was adopted without a vote.

505. For the text as adopted, see chapter II, section A, resolution 1988/56.

506. At the same meeting, in view of the adoption of resolution 1988/56, the Commission decided to take no action on draft resolution IX recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

507. At the 52nd meeting, on 8 March 1988, the representative of Belgium introduced draft resolution E/CN.4/1988/L.65, sponsored by Argentina, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Jordan\*, Luxembourg\*, Peru, Senegal and Spain. The Netherlands\* and the United States of America subsequently joined the sponsors.

508. The representative of Belgium orally revised operative paragraph 4 by replacing the words "Strongly urges" by the word "Requests".

509. Draft resolution E/CN.4/1988/L.65, as orally revised, was adopted without a vote.

510. For the text as adopted, see chapter II, section A, resolution 1988/46.

511. At the same meeting, the representative of the United States of America introduced draft resolution E/CN.4/1988/L.88, sponsored by that country.

512. The draft resolution was adopted without a vote.

513. A statement in explanation of vote after the vote was made by the representative of Belgium.

514. For the text as adopted, see chapter II, section A, resolution 1988/47.

515. At the same meeting, the Chairman submitted to the Commission a draft resolution later circulated as draft resolution E/CN.4/1988/L.101.

516. At the request of the representatives of Algeria, Argentina and Senegal, consideration of the draft resolution was deferred.

517. At the 54th meeting, on 9 March 1988, the Commission considered draft resolution E/CN.4/1988/L.101 submitted by the Chairman.

518. The representative of Senegal proposed amending the draft resolution by deleting the second preambular paragraph, which read as follows:

"Bearing in mind also the recommendations contained in the study of the Working Group on Traditional Practices Affecting the Health of Women and Children (E/CN.4/1986/42),"

519. The amendment was accepted.

520. The draft resolution, as amended, was adopted without a vote.

521. For the text as adopted, see chapter II, section A, resolution 1988/57.

522. At the 52nd meeting, on 8 March 1988, the Commission considered draft resolution VI recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).

523. The representative of Norway made a statement in connection with the financial implications (E/CN.4/1988/37, annex II) of the draft resolution.
524. A revised estimate of the administrative and programme budget implications of the draft resolution was read out. 1/
525. Draft resolution VI was adopted without a vote.
526. For the text as adopted, see chapter II, section A, resolution 1988/48.
527. At the same meeting, the Commission considered draft resolution VII recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).
528. The representative of Spain orally proposed amending the draft resolution as follows:
- (a) In the first preambular paragraph, delete the reference to 1992 and reword the paragraph accordingly;
  - (b) Reword the operative paragraph of the draft resolution recommended to the Economic and Social Council for adoption, which read:  
  
"Recommends that the General Assembly proclaim 1992 the International Year of the World's Indigenous Population."
529. At the same meeting, the Commission adopted the amendments proposed by Spain and deferred consideration of the draft resolution as amended.
530. At the 54th meeting, on 9 March 1988, the Commission resumed consideration of draft resolution VII, as amended (E/CN.4/1988/L.102).
531. The draft resolution, as amended, was adopted without a vote.
532. For the text as adopted, see chapter II, section A, resolution 1988/58.
533. At the 52nd meeting, on 8 March 1988, the Commission considered draft resolution VIII recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A).
534. Draft resolution VIII was adopted without a vote.
535. For the text as adopted, see chapter II, section A, resolution 1988/49.

XX. RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC,  
RELIGIOUS AND LINGUISTIC MINORITIES

536. The Commission considered agenda item 20 at its 55th meeting, held on 10 March 1988. 2/

537. 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-fourth session to consider the drafting of a declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities (E/CN.4/1988/36);

Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/43);

Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/50);

Written statement submitted by the World Union for Progressive Judaism, a non-governmental organization on the Roster (E/CN.4/1988/NGO/72);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/73).

538. 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.

539. At the 55th meeting, on 10 March 1988, Mrs. Z. Ilić, Chairman-Rapporteur, introduced the report of the working group (E/CN.4/1988/36).

540. A draft resolution (E/CN.4/1988/L.41) sponsored by Yugoslavia was introduced by the representative of that country.

541. The draft resolution was adopted without a vote.

542. For the text as adopted, see chapter II, section A, resolution 1988/64.



XXI. 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

543. The Commission considered agenda item 21 at its 38th and 39th meetings, held on 26 and 29 February 1988, and at its 55th meeting, held on 10 March 1988. 2/

544. The Commission had before it the following documents:

Report of the Secretary-General (E/CN.4/1988/49);

Letter dated 26 February 1988 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/76);

Written statement submitted by the Co-ordinating Board of Jewish Organizations, the International Council of Jewish Women, the Women's International Zionist Organization and the World Jewish Congress, non-governmental organizations in consultative status (category II) and the World Union for Progressive Judaism, a non-governmental organization on the Roster (E/CN.4/1988/NGO/24).

545. In the general debate on this item, 3/ statements were made by the following members of the Commission: Bulgaria (38th), Byelorussian Soviet Socialist Republic (38th), German Democratic Republic (38th), Union of Soviet Socialist Republics (38th).

546. The Commission heard statements by the observers for: Afghanistan (39th), Syrian Arab Republic (39th), Ukrainian Soviet Socialist Republic (39th).

547. The Commission also heard statements by the following non-governmental organizations: Christian Democratic International (39th), International Council of Jewish Women (39th), International Federation of Free Journalists (39th), International Organization for the Elimination of All Forms of Racial Discrimination (39th), International Union of Young Christian Democrats (39th), World Jewish Congress (38th), World Union for Progressive Judaism (39th).

548. A statement equivalent to a right of reply was made by the observer for Austria (39th).

549. At the 55th meeting, on 10 March 1988, the Commission took up consideration of the draft resolutions submitted under item 21.

550. The representative of the Byelorussian Soviet Socialist Republic introduced draft resolution E/CN.4/1988/L.72, sponsored by Afghanistan\*, Angola\*, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba\*, Czechoslovakia\*, Democratic Yemen\*, the German Democratic Republic, Hungary\*, the Libyan Arab Jamahiriya\*, Mongolia\*, Mozambique, Nicaragua, Poland\*, the Syrian Arab Republic\*, the Ukrainian Soviet Socialist Republic\*, Viet Nam\* and Yugoslavia.

551. The draft resolution was adopted without a vote.

552. For the text as adopted, see chapter II, section A, resolution 1988/63.

553. Draft resolution II recommended by the Sub-Commission for adoption by the Commission (E/CN.4/1988/37, chap. I, sect. A) was not considered.

XXII. ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

554. The Commission considered agenda item 22 at its 34th to 36th meetings, held on 24 and 25 February, and at its 52nd meeting, held on 8 March 1988. 2/

555. The Commission had before it the following documents:

Report of the Secretary-General submitted in pursuance of Commission resolution 1987/36 (E/CN.4/1988/6);

Report on Haiti submitted by the Expert, Mr. André Braunschweig, in pursuance of Commission resolution 1987/13 (E/CN.4/1988/38);

Report of the Secretary-General submitted in pursuance of Commission resolutions 1987/37 and 1987/38 (E/CN.4/1988/40 and Add.1);

Report on Guatemala submitted by the Expert, Mr. Héctor Gros Espiell, in pursuance of paragraph 11 of Commission resolution 1987/53 (E/CN.4/1988/42);

Note by the Secretariat transmitting an excerpt from the annual report of the Inter-American Commission on Human Rights of the Organization of American States concerning the human rights situation in Guatemala (E/CN.4/1988/60);

Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II) (E/CN.4/1988/NGO/53).

556. In the general debate on this item, 3/ statements were made by the following members of the Commission: Argentina (35th), Belgium (35th), Cyprus (35th), Gambia (35th), German Democratic Republic (35th), Germany, Federal Republic of (34th), India (35th), Italy (35th), Japan (35th), Norway (35th), Philippines (35th), Union of Soviet Socialist Republics (35th), United Kingdom of Great Britain and Northern Ireland (35th), United States of America (35th), Venezuela (35th).

557. The Commission heard statements by the observers for: Austria (35th), Canada (35th), Finland (35th), Guatemala (34th), Haiti (35th), Netherlands (36th), Sweden (36th).

558. The Commission also heard statements by the following non-governmental organizations: International Commission of Jurists (36th), International Federation of Human Rights (36th), International Indian Treaty Council (36th), International Movement for Fraternal Union among Races and Peoples (36th), Latin American Federation of Associations of Relatives of Disappeared Detainees (36th), Pax Christi (36th), Pax Romana (36th), World University Service (36th).

559. A statement equivalent to a right of reply was made by the observer for Guatemala (36th).

560. At the 52nd meeting, on 8 March 1988, the Commission took up consideration of the draft resolutions submitted under agenda item 22.

561. The representative of Venezuela introduced draft resolution E/CN.4/1988/L.40, sponsored by Argentina, Brazil, Colombia, Costa Rica, Honduras\*, Mexico, Peru, Uruguay\* and Venezuela. Bolivia\* and Japan subsequently joined the sponsors.

562. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.50) of draft resolution E/CN.4/1988/L.40. 1/

563. The draft resolution was adopted without a vote.

564. For the text as adopted, see chapter II, section A, resolution 1988/50.

565. The representative of France introduced draft resolution E/CN.4/1988/L.59, sponsored by France and Senegal. Canada\*, the Federal Republic of Germany, Italy and the Netherlands\* subsequently joined the sponsors.

566. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.81) of draft resolution E/CN.4/1988/L.59. 1/

567. The representative of France orally revised draft resolution E/CN.4/1988/L.59 as follows:

(a) In the fifth preambular paragraph, the date 27 November was replaced by 29 November;

(b) In the last preambular paragraph, the words "the persistent reports containing allegations of human rights violations in Haiti" were replaced by the words "the situation of human rights in Haiti".

568. A statement relating to the draft resolution was made by the representative of Haiti.

569. Draft resolution E/CN.4/1988/L.59, as orally revised, was adopted without a vote.

570. For the text as adopted, see chapter II, section A, resolution 1988/51.

571. The representative of Argentina introduced draft resolution E/CN.4/1988/L.80, sponsored by Costa Rica and subsequently also by Argentina and Peru.

572. The attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/96) of draft resolution E/CN.4/1988/L.80. 1/

573. The draft resolution was adopted without a vote.

574. For the text as adopted, see chapter II, section A, resolution 1988/52.

575. The representative of the Federal Republic of Germany introduced draft resolution E/CN.4/1988/L.84, sponsored by Austria\*, Canada\*, Colombia, Finland\*, Germany, Federal Republic of, Italy, Norway, Peru, Senegal and the United Kingdom of Great Britain and Northern Ireland. The Gambia and the Netherlands\* subsequently joined the sponsors.

576. Draft resolution E/CN.4/1988/L.84 was adopted without a vote.

577. For the text as adopted, see chapter II, section A, resolution 1988/53.

578. The representative of the Federal Republic of Germany introduced E/CN.4/1988/L.85, sponsored by Austria\*, Belgium, Canada\*, Colombia, Costa Rica, Cyprus, Finland\*, Germany, Federal Republic of, Italy, Norway, Peru, Senegal, Sweden\* and the United Kingdom of Great Britain and Northern Ireland. Argentina, the Gambia, the Netherlands\*, Nigeria and the Ukrainian Soviet Socialist Republic\* subsequently joined the sponsors.

579. Draft resolution E/CN.4/1988/L.85 was adopted without a vote.

580. For the text as adopted, see chapter II, section A, resolution 1988/54.

XXIII. IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF

581. The Commission considered agenda item 23 at its 26th to 30th meetings, held from 18 to 22 February, and at its 52nd meeting, held on 8 March 1988. 2/

582. The Commission had before it the following documents:

Reports of the Secretary-General pursuant to Commission resolution 1987/15 (E/CN.4/1988/43 and Add.1-7, E/CN.4/1988/44 and Add.1-7);

Report submitted by Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur, in accordance with Commission resolutions 1986/20 and 1987/15 (E/CN.4/1988/45 and Add.1);

Letter dated 15 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights, transmitting a communication from the Comité Cubano pro Derechos Humanos (E/CN.4/1988/61);

Two letters dated 24 February 1988 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1988/74 and E/CN.4/1988/75);

Report by Mrs. Elizabeth Odio Benito, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, on the 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);

Relevant summary records of the thirty-ninth session of the Sub-Commission (E/CN.4/Sub.2/1987/SR.27/Add.1, SR.28 and SR.29).

583. At the 26th meeting, the Special Rapporteur, Mr. A. Vidal d'Almeida Ribeiro, introduced his report (E/CN.4/1988/45 and Add.1).

584. In the general debate on this item, 3/ statements were made by the following members of the Commission: Argentina (28th), Bangladesh (28th), Belgium (26th), Bulgaria (26th and 28th), Byelorussian Soviet Socialist Republic (28th), China (27th), Costa Rica (27th), France (28th), German Democratic Republic (28th), Germany, Federal Republic of (28th), India (28th), Iraq (27th), Ireland (27th), Italy (26th), Japan (27th), Norway (27th), Peru (26th), Portugal (28th), Senegal (28th), Union of Soviet Socialist Republics (26th and 27th), United Kingdom of Great Britain and Northern Ireland (28th), United States of America (28th).

585. The Commission heard statements by the observers for: Afghanistan (28th), Austria (28th), Burundi (28th), Canada (28th), Czechoslovakia (28th), Israel (28th), Netherlands (28th), Poland (28th), Singapore (28th), Turkey (28th), Ukrainian Soviet Socialist Republic (28th). The observers for the Holy See (28th) and Switzerland (28th) also made statements.

586. The Commission heard statements by the following non-governmental organizations: Baha'i International Community (30th), Christian Democratic International (30th), Commission of the Churches on International Affairs of the World Council of Churches (30th), Co-ordinating Board of Jewish Organizations (also on behalf of the World Jewish Congress) (30th), Four Directions Council (30th), Indigenous World Association (30th), International Association for the Defence of Religious Liberty (30th), International Commission of Jurists (30th), International Council of Jewish Women (30th), International Fellowship of Reconciliation (30th), International Indian Treaty Council (30th), International Organization for the Elimination of All Forms of Racial Discrimination (30th), Minority Rights Group (28th), Pax Romana (30th), World Union for Progressive Judaism (28th).

587. Statements in right of reply or equivalent to right of reply were made by the representatives of Bangladesh (30th), China (30th), the Union of Soviet Socialist Republics (28th and 29th) and the United States of America (29th) and by the observers for Egypt (29th), the Islamic Republic of Iran (28th), the Libyan Arab Jamihiriya (29th), Morocco (29th), Romania (30th) and the Syrian Arab Republic (29th).

588. At the 52nd meeting, on 8 March 1988, the representative of Ireland introduced draft resolution E/CN.4/1988/L.63, sponsored by Argentina, Austria\*, Belgium, Canada\*, Costa Rica, Finland\*, France, Germany, Federal Republic of, Ireland, Luxembourg\*, the Netherlands\*, Norway, the Philippines, Portugal, Senegal, Switzerland\* and the United States of America. The Gambia subsequently joined the sponsors.

589. On 7 March 1988, China, Pakistan and Sri Lanka submitted amendments (E/CN.4/1988/L.98) to draft resolution E/CN.4/1988/L.63. The amendments, which were subsequently withdrawn, read, as follows:

"1. Replace operative paragraph 2 by the following:

'Takes note of the report of the Special Rapporteur, Mr. Angelo Vidal d'Almeida Ribeiro, and the various views expressed on the report during its forty-fourth session;'

"2. In operative paragraph 13, after the words 'to bear in mind the need', replace the original text by the following: 'to seek the views and comments of the Government concerned on any information concerning that Government which he intends to include in his report, and to carry out his work with discretion and independence;'. "

590. At the 52nd meeting, the sponsors orally revised draft resolution E/CN.4/1988/L.63 as follows:

(a) Operative paragraph 2, which read:

"Commends the report of the Special Rapporteur, Mr. Angelo Vidal d'Almeida Ribeiro;"

was reworded;

(b) Operative paragraph 13, which read:

"Invites the Special Rapporteur, 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;"

was reworded;

(c) A new operative paragraph 14 was inserted and the existing operative paragraphs 14 to 16 were renumbered accordingly.

591. At the same meeting, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications (E/CN.4/1988/L.83) of draft resolution E/CN.4/1988/L.63. 1/

592. The draft resolution, as orally revised, was adopted without a vote.

593. A statement in explanation of vote after the vote was made by the representative of Rwanda.

594. For the text as adopted, see chapter II, section A, resolution 1988/55.



XXIV. ELECTION OF MEMBERS OF THE SUB-COMMISSION ON  
PREVENTION OF DISCRIMINATION AND PROTECTION  
OF MINORITIES

595. The Commission considered agenda item 24 at its 39th meeting, on 29 February 1988. 2/

596. The Commission had before it a note by the Secretary-General containing nominations of candidates for election to membership of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and biographical data on the candidates (E/CN.4/1988/46 and Add.1-6).

597. In accordance with resolution 1334 (XLIV) and decision 1978/21 of the Economic and Social Council, the geographical distribution of the membership of the Sub-Commission is as follows: (a) seven members from African States; (b) five members from Asian States; (c) six members from Western European and other States; (d) five members from Latin American States; (e) three members from Eastern European States.

598. The attention of the Commission was drawn to Economic and Social Council resolution 1986/35 and decision 1987/102, in accordance with which the members of the Sub-Commission would be elected for a term of four years and half of its membership and the corresponding alternates, if any, would be elected every two years. The Council authorized the Chairman of the forty-fourth session of the Commission to draw lots to select the members and, as applicable, their corresponding alternates whose terms of office would expire after two years in accordance with the following pattern: three members from African States; three members from Asian States; three members from Latin American States; one member from Eastern European States; and three members from Western European and other States.

599. The Commission elected by secret ballot the 26 members of the Sub-Commission. The following candidates were elected:

African States

Mr. Yawo Agboyibor <u>a/</u>	Togo
Mr. Abdou Assouma <u>b/</u>	
Miss Judith Sefi Attah <u>a/</u>	Nigeria
Mrs. Christy Ezim Mbonu <u>b/</u>	
Mr. Aidid Abdillahi Ilkahanaf	Somalia
Mr. Mohamed Isa Turunji <u>b/</u>	
Mr. Ahmed Khalifa	Egypt

African States (continued)

Mrs. Fatma Zohra Ksentini a/ Algeria  
Mr. Boudjemâa Delmi b/  
  
Mrs. Halima Embarek Warzazi Morocco  
Mr. Mohamed Laghmari b/  
  
Mr. Fisseha Yimer Ethiopia

Asian States

Mr. Awn Shawkat Al-Khasawneh a/ Jordan  
Mr. Waleed M. Sadi b/  
  
Mrs. Mary Concepción Bautista Philippines  
Ms. Haydee Yorac b/  
  
Mr. Murlidhar Chandrakant Bhandare a/ India  
  
Mr. Ribot Hatano Japan  
Mr. Yozo Yokota b/  
  
Mr. Tian Jin a/ China  
Mr. Shao Jin b/

Eastern European States

Mr. Stanislav Valentinovich Union of Soviet Socialist Republics  
Chernichenko a/  
Mr. Teimuraz Otarovich  
Ramishvili b/  
  
Mr. Ion Diaconu Romania  
Mr. Ioan Maxim b/  
  
Mr. Danilo Türk Yugoslavia  
Ms. Lidiya R. Basta b/

Latin American States

Mr. Leandro Despouy a/ Argentina  
Mrs. María Teresa Flores b/  
  
Mr. Miguel Alfonso Martínez Cuba  
Mr. Julio Heredia Pérez b/  
  
Mr. Rafael Rivas Posada Colombia  
Mr. Eduardo Suescún Monroy b/

Latin American States (continued)

Mr. Alejandro Sobarzo Loaiza a/ Mexico  
Mr. Héctor Fix Zamudio b/

Mr. Luis Varela Quirós a/ Costa Rica  
Mr. Jorge Rhenán Segura b/

Western European and other States

Mr. Theodoor Cornelis van Boven Netherlands  
Mr. Cornelis Flinterman b/

Mrs. Erica-Irene A. Daes a/ Greece

Mr. Asbjørn Eide Norway  
Mr. Jan Helgesen b/

Mr. Louis Joinet a/ France  
Mr. Alain Pellet b/

Ms. Claire Palley a/ United Kingdom of Great Britain  
and Northern Ireland

Mr. William W. Treat United States of America  
Mr. John Carey b/

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a/ Elected for a term of two years.

b/ Alternate.

XXV. DRAFT PROVISIONAL AGENDA FOR THE FORTY-FIFTH SESSION  
OF THE COMMISSION

600. The Commission considered agenda item 25 at its 57th meeting, on 11 March 1988. 2/

601. 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.4/1988/L.1) containing a draft provisional agenda for the forty-fifth session of the Commission and indicating the documents to be submitted under each item and the legislative authority for their preparation.

602. The representative of Mexico proposed with regard to item 12 that the document referred to under (h) be transferred to item 2.

603. Statements relating to the proposal were made by the representatives of Algeria, Argentina, Belgium, Colombia, France, India, Ireland, Japan, Mexico, Nicaragua, Nigeria, Norway, Peru, Somalia, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela.

604. Under rule 48 of the rules of procedure of the functional commissions of the Economic and Social Council, the representative of Argentina moved for the suspension of the meeting.

605. The motion of the representative of Argentina was adopted by 21 votes to 15, with 2 abstentions.

606. Following the resumption of the meeting, the representative of Argentina made a statement.

607. The Chairman also made a statement, noting that the report referred to under item 12 (h) would be examined by the Commission at its forty-fifth session in accordance with subparagraph (b) of decision 1988/106.

608. In the light of the statement made by the Chairman, the Commission took note of the draft provisional agenda.

609. The draft provisional agenda for the forty-fifth 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 1988/1 A, 1988/1 B and 1988/2.

Documentation:

- (a) Reports of the Secretary-General (paragraph 14 of resolution 1988/1 A, paragraph 9 of resolution 1988/1 B and paragraph 11 of resolution 1988/2);
- (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 1988/1 A).

5. Question of human rights in Chile

Legislative authority: Commission resolution 1988/78.

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 1988/9, 1988/10 and 1988/11.

Documentation:

Report of the Ad Hoc Working Group of Experts (paragraphs 28 and 30 of resolution 1988/9, paragraphs 22 and 23 of resolution 1988/10, paragraph 7 of resolution 1988/11).

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 1988/12 and 1988/13.

Documentation:

Updated report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (paragraph 3 (a) of resolution 1988/12).

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 1988/18, 1988/19, 1988/21, 1988/22, 1988/23, 1988/24 and 1988/26.

Documentation:

- (a) Report of the Secretary-General (paragraph 3 of resolution 1988/21);
- (b) Report of the Secretary-General (paragraph 4 of resolution 1988/22);
- (c) Report of the Working Group of Governmental Experts on the Right to Development (paragraph 7 of resolution 1988/26).

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 1988/3, 1988/4, 1988/5, 1988/6, 1988/7 and 1988/8.

Documentation:

- (a) Report of the Secretary-General transmitting information pertaining to the implementation of resolution 1988/3 (paragraph 11);
- (b) Report of the Special Rapporteur (paragraph 14 of resolution 1988/7).

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 1988/32, 1988/33, 1988/34, 1988/35, 1988/36, 1988/37, 1988/38, 1988/39, 1988/40 and 1988/41.

Documentation:

- (a) Report of the Special Rapporteur appointed to examine questions relevant to torture (paragraph 7 of resolution 1988/32);
- (b) Report of the Working Group on Enforced or Involuntary Disappearances (paragraph 4 of resolution 1988/34);
- (c) Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (paragraph 6 of resolution 1988/35);
- (d) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (paragraph 8 of resolution 1988/36);
- (e) Updated report of the Secretary-General on the situation of international civil servants and their families detained, imprisoned, missing or held in a country against their will (paragraph 3 of resolution 1988/41).

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), 1988/72, 1988/73 and 1988/74.

Documentation:

Report of the Secretary-General on the implementation of resolution 1988/73 (paragraph 9);

Report of the Secretary-General on the implementation of resolution 1988/74 (paragraph 16).

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-fourth session

Legislative authority: Commission resolutions 1988/17, 1988/65, 1988/66, 1988/67, 1988/68, 1988/69 and 1988/70; Commission decisions 1988/105 and 1988/106.

Documentation:

- (a) Report by the Special Representative on the situation of human rights in El Salvador (paragraph 16 of resolution 1988/65);
- (b) Report of the Secretary-General concerning southern Lebanon (paragraph 4 (b) of resolution 1988/66);
- (c) Report of the Special Rapporteur on the question of human rights and fundamental freedoms in Afghanistan (paragraph 15 of resolution 1988/67);
- (d) Report of the Special Rapporteur on summary or arbitrary executions (operative paragraph 4 of draft resolution VII recommended to the Economic and Social Council for adoption (resolution 1988/68));
- (e) Report of the Special Representative on the human rights situation in the Islamic Republic of Iran (paragraph 12 of resolution 1988/69);
- (f) Report of the Secretary-General on developments concerning the efforts being made in regard to human rights and mass exoduses (paragraph 6 of resolution 1988/70);
- (g) Report of the Secretary-General on the question of human rights in Cyprus (decision 1988/105);
- (h) Report of the Chairman of the forty-fourth session of the Commission in accordance with decision 1988/106.

13. Question of a convention on the rights of the child

Legislative authority: Commission resolution 1988/75.

Documentation:

Report of the open-ended working group (operative paragraph 1 of draft resolution IX 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 1988/77.

Documentation:

Progress report of the Secretary-General containing information on the further progress made in the elaboration of a convention (paragraph 4).

15. The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service

Legislative authority: Commission resolutions 1987/44, 1987/45 and 1987/46.

Documentation:

Report of the Secretary-General on the question of conscientious objection to military service (paragraph 5 of resolution 1987/46).

16. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

Legislative authority: Commission resolution 1988/14.

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 1988/16.

Documentation:

Report of the Secretary-General on the progress made in carrying out the plan of activities for the period 1985-1989 (paragraph 7).

18. Status of the International Covenants on Human Rights

Legislative authority: Commission resolution 1988/27.

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 all reservations and declarations, and information on the work of the Economic and Social Council and the Committee on Economic, Social and Cultural Rights (paragraph 16).

19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its fortieth session

Legislative authority: Commission resolutions 1988/43, 1988/45 and 1988/56.

Documentation:

Report of the Sub-Commission on its fortieth session;

Report of the Chairman of the Sub-Commission on the implementation of the guidelines provided in Commission resolution 1988/43 (paragraph 20).

20. Rights of persons belonging to national, ethnic, religious and linguistic minorities

Legislative authority: Commission resolution 1988/64.

21. Advisory services in the field of human rights

Legislative authority: Commission resolutions 1988/50, 1988/51, 1988/52, 1988/53 and 1988/54.

Documentation:

- (a) Report of the Expert concerning assistance to Guatemala in the field of human rights (paragraph 8 of resolution 1988/50);
- (b) Report of the Expert concerning assistance to Haiti in the field of human rights (paragraph 8 of resolution 1988/51);
- (c) Report of the Expert concerning the situation in Equatorial Guinea (paragraph 3 of resolution 1988/52);

- (d) Report of the Secretary-General on advisory services in the field of human rights (paragraph 10 of resolution 1988/53);
- (e) Progress report of the Secretary-General on the implementation of the advisory services programme (paragraph 13 of resolution 1988/54).

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

Legislative authority: Commission resolution 1988/55.

Documentation:

- (a) Report of the Sub-Commission on issues to be considered before any drafting of an international instrument on freedom of religion and belief takes place (paragraph 11 (c))
- (b) Report of the Special Rapporteur (paragraph 15).

23. 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

Legislative authority: Commission resolution 1988/71.

Documentation:

Report of the open-ended working group (operative paragraph 1 of draft resolution VIII recommended to the Economic and Social Council for adoption).

24. Draft provisional agenda for the forty-sixth 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-sixth session of the Commission, together with information concerning documentation relating thereto.

25. Report to the Economic and Social Council on the forty-fifth session of the Commission

Legislative authority: rule 38 of the rules of procedure of the functional commissions of the Economic and Social Council.

## XXVI. ADOPTION OF THE REPORT

610. At its 57th meeting, on 11 March 1988, the Commission considered the draft report on the work of its forty-fourth 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.4/1988/SR.1-57/Corrigendum.

3/ The number in parentheses 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, Mrs. Fatma Zohra Ksentini\*, Mr. Boudjemâa Delmi\*,  
Mrs. Fatiha Selmane-Bouamrane\*\*, Mr. Amar Abba\*\*,  
Mr. Abd-El-Naceur Belaid\*\*, Mr. Kemal Hadri\*\*,  
Mr. Borhen Eddine Messadia\*\*, Mr. Ali Mokrane\*\*

Argentina

Mr. Leandro Despouy, Mr. D. Julio Strassera\*, Mr. Sergio Cerda\*\*,  
Mr. Alberto D'Alotto\*\*, Mr. Mario Yutzis\*\*

Bangladesh

Mr. F. K. M. A. Munim, Mr. Harun-ur-Rashid\*, Mr. M. Motahar Hossain\*,  
Mr. Liaquat Ali Choudhury\*\*

Belgium

Mr. Marc Bossuyt, Mr. Dominique Struye\*, Mr. Guy Trouveroy\*\*,  
Mr. Paul Rietjens\*\*, Mrs. Justine Gentile\*\*

Botswana

Mr. Moleleki Mokama, Mr. David Rendoh\*

Brazil

Mr. Marcos Castrioto de Azambuja, Mr. José Augusto Lindgren Alves\*,  
Mrs. Marília Sardenberg Zelner Gonçalves\*,  
Mr. José Humberto de Brito Cruz\*

Bulgaria

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Miss Ludmila Bojkova\*, Mr. Kosta Andreev\*\*, Mr. Petar Kolarov\*\*

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\*\* Adviser.

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Ethiopia

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Mr. Takeshi Kamiyama\*\*, Mrs. Miyuki Hara\*\*

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Miss Luz María García Herrera\*\*, Mrs. Fanny M. Carranza\*\*

Mozambique

Mr. Murade Isaac M. Murargy, Mr. Pedro Comissario\*,  
Mr. Florencio Joel Alberto Sele\*\*, Mr. Inocencio Dinis\*\*

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Mrs. Vilma Nuffez de Escorcía\*, Mr. Oscar Aleman\*\*, Mr. Mario Castellon\*\*,  
Mrs. Victoria Castillo\*\*

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Mr. E. O. Sanyaolu\*\*, Mr. S. A. Owoeye\*\*, Mr. A. A. Ella\*\*,  
Mrs. T. C. Garuba\*\*, Mr. S. I. Okonji\*\*, Mrs. C. E. Mbonu\*\*

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Ms. Mette Ravn\*\*, Mr. Irvin Hoyland\*\*, Mr. Petter F. Wille\*\*,  
Ms. Anne Merchant\*\*

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Mr. Muhammad Aslam Khan\*\*

### Peru

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Mr. Juan Alvarez Vita\*, Mr. Manuel Rodríguez Cuadros\*\*,  
Mr. Felipe Beraún Ugaz\*\*, Mr. Ramón Carrillo Valdés\*\*,  
Mr. Jorge Félix Rubio Correa\*\*

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Mrs. Victoria S. Bataclan\*, Miss Mary Ann Arquillas\*

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Mrs. Ana Martins Gomes\*, Mrs. Marta dos Santos Pais\*\*,  
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Sao Tome and Principe

M. Joaquim Rafael Branco

Senegal

Mr. Alioune Sene, Mr. Amadou Moustapha Diop\*, Mr. Saliou Fall\*,  
Mr. Samba Cor Konate\*, Mr. Babacar Mbaye\*,  
Mr. Samba Alassane Mademba Sy\*, Mr. Assane Gaye\*\*, Mr. Moussa Sane\*\*,  
Mr. El Hadj Guisse\*\*, Mr. Tafsir Malick Ndiaye\*\*

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Mr. Khalil Ali Elmi\*\*, Mrs. Amina Aden Serrar\*\*,  
Mr. Ali Abdullahi Hussein\*\*, Miss Neimah Hashi Warsame\*\*,  
Mr. Abdulaziz A. Farah\*\*

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Mrs. Matilde Ruiz de Baena\*\*

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Mr. B. A. B. Goonetilleke\*, Mr. C. R. Jayasinghe\*\*

Togo

Mr. Aregba Polo, Mr. Yao Kpotsra\*, Mr. Yawo Agboyibor\*\*,  
Mr. Abdou Assouma\*\*

Union of Soviet Socialist Republics

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Ms. Zoya Novozhilova\*, Mr. Alexei Joukov\*,  
Mr. Rimgaudas K. Malisauskas\*\*, Mr. Konstantin Gutsenko\*\*,  
Mr. Stanislav Chernichenko\*\*, Mr. Igor Gavritchev\*\*,  
Mr. Viascheslav Timofeev\*\*, Mr. Vladimir Poliakov\*\*,  
Mr. Vladimir Volodin\*\*, Mr. Vladimir Bulishev\*\*, Mr. Oleg Malginov\*\*,  
Mr. Sergei Bereznyi\*\*, Mr. Victor Vinnik\*\*, Mr. Kirill Ermishin\*\*,  
Mr. Dilavar Aliev\*\*, Rev. Alexei M. Bichkov\*\*,  
Archbishop Kirill Goundiaev\*\*, Rabbi Levitis\*\*

United Kingdom of Great Britain and Northern Ireland

Mr. H. Steel, Mr. J. A. Sankey\*, Ms. E. I. Young\*, Mr. T. Eggar\*\*,  
Mr. G. W. Hewitt\*\*, Miss D.-J. Walker\*\*, Mrs. K. Colvin\*\*,  
Mr. P. A. Sinkinson\*\*, Mr. A. G. Toothe\*\*, Ms. C. Palley\*\*,  
Mr. N. A. Thorne\*\*, Mr. M. C. Raven\*\*, Ms. C. Hart\*\*,  
Mr. M. D. Longford\*\*, Mr. F. W. Wheeler\*\*, Mr. C. J. Dix\*\*,  
Miss S. Fuller\*\*

United States of America

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Mr. Alberto M. Piedra\*, Mr. Marshall Breger\*, Mr. Dennis Goodman\*,  
Mr. William Falkner\*\*, Mr. Gordon Stirling\*\*, Mr. W. Lewis Amselem\*\*,  
Mr. William Lawrence\*\*, Mr. Richard K. McKee\*\*, Mr. Thomas A. Johnson\*\*,  
Mr. Kyle Scott\*\*, Mr. Peter Poltun\*\*, Mr. William A. Green\*\*,  
Ms. Miren Amselem\*\*, Ms. Patsy Arnett\*\*, Ms. Phyllis Davis\*\*,  
Ms. Delores Hicks\*\*, Ms. Karleen Walters\*\*, Ms. Kristina Arriaga\*\*,  
Mr. Daniel Pipes\*\*, Ms. Linda Turner\*\*, Mr. Peter McDevitt\*\*,  
Mrs. Edita Piedra\*\*

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Mrs. María Esperanza Ruesta\*\*, Mrs. Jenny Clauwaert González\*\*,  
Mr. Luis Nifo\*\*

Yugoslavia

Mrs. Zagorka Ilic, Mrs. Gordana Diklic-Trajkovic\*,  
Mrs. Marija Djordjevic\*, Mr. Danilo Türk\*, Mr. Vojislav Suc\*\*

States Members of the United Nations represented by observers

Afghanistan, Angola, Australia, Austria, Bahrain, Bolivia, Burma, Burundi,  
Cameroon, Canada, Chile, Côte d'Ivoire, Cuba, Czechoslovakia,  
Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador,  
Egypt, El Salvador, Finland, Gabon, Ghana, Greece, Guatemala, Haiti, Honduras,  
Hungary, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Kenya, Kuwait,  
Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar,  
Malaysia, Malta, Mauritania, Mongolia, Morocco, Nepal, Netherlands,  
New Zealand, Oman, Panama, Paraguay, Poland, Qatar, Romania, Saudi Arabia,  
Singapore, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand,  
Trinidad and Tobago, Tunisia, Turkey, Uganda, 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

Centre against Apartheid, Office of the United Nations High Commissioner for Refugees

Specialized agencies

International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, World Health Organization

Other intergovernmental organizations

Commission of the European Communities, Council of Europe, Inter-American Commission on Human Rights of the Organization of American States, 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 Alliance of Women - Equal Rights, Equal Responsibilities, International Confederation of Free Trade Unions, International Council of Voluntary Agencies, International Council of Women, International Council on Social Welfare, International Youth and Student Movement for the United Nations, Inter-Parliamentary Union, 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, World Veterans Federation, Zonta International

Category II

Afro-Asian Peoples' Solidarity Organization, All-India Women's Conference, Amnesty International, Andean Commission of Jurists, 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, Commission of the Churches on International Affairs of the World Council of Churches, Co-ordinating Board of Jewish Organizations, Disabled People's International, Federation of Associations of Former International Civil Servants, Four Directions Council, Friends World Committee for Consultation, Human Rights Advocates, Inc., Indigenous World Association, Inter-American Press Association, International Abolitionist Federation, International Association Against Torture, International Association for the Defence of Religious Liberty, International Association of Democratic Lawyers, International Association of Educators for World Peace, International Association of Penal Law, International Catholic Child Bureau, International Catholic Migration Commission, International Catholic Union of the Press, International Centre of Sociological Penal and Penitentiary Research and Studies, International Commission of Health Professionals for Health and Human Rights, International Commission of Jurists, International Committee of the Red Cross, International Council of Environmental Law, International Council of Jewish Women, International Federation of Human Rights, International Federation of University Women, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Federation Terre des Hommes, 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 Social Service, International Union of Family Organizations, International Union of Lawyers, International Union of Students, International Union of Young Christian Democrats, International Young Christian Workers, Jaycees International, Latin American Federation of Associations of Relatives of Disappeared Detainees, Lutheran World Federation, Medical Women's International Association, Pax Christi, Pax Romana, Rädda Barnen International, Save the Children Alliance, Service, Justice and Peace in Latin America, Union of Arab Jurists, War Resisters International, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Association of World Federalists, World Conference on Religion and Peace, World Council of Indigenous Peoples, World Federation for Mental Health, World Federation of Methodist Women, World Jewish Congress, World Movement of Mothers, World Student Christian Federation, World Union of Catholic Women's Organizations, World University Service, World Young Women's Christian Association

#### Roster

Centre Europe-Tiers Monde, Dayemi Complex, Defense for Children International Movement, Grand Council of the Crees (of Quebec), Indian Council of South America, International Federation of Free Journalists, International Federation of Newspaper Publishers, International Federation of Rural Adult Catholic Movements, International Federation of the Periodical Press, International Human Rights Internship Programme, International Humanist and

Ethical Union, International League for the Rights and Liberation of Peoples, International Press Institute, International Right to Life Federation, International Young Catholic Students, Liberation, Minority Rights Group, Movement Against Racism and for Friendship Among Peoples, Parliamentary Association for Euro-Arab Co-operation, Procedural Aspects of International Law Institute, Regional Council on Human Rights in Asia, Survival International Ltd., World Alliance of Reformed Churches, World Association for the School as an Instrument of Peace, World Islamic Call Society, 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 other 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; national institutions for the promotion and protection of human rights.
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.
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. Human rights and scientific and technological developments.
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. 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.
22. Advisory services in the field of human rights.
23. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.
24. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.
25. Draft provisional agenda for the forty-fifth session of the Commission.
26. Report to the Economic and Social Council on the forty-fourth session of the Commission.



Annex III

ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS OF  
RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION  
AT ITS FORTY-FOURTH SESSION

1. In the course of its forty-fourth session, the Commission on Human Rights adopted 18 resolutions and 3 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 will request the necessary authority for any additional resources that may be needed to implement them during 1988, 1989 and 1990. Those implications are summarized in the following table.

SUMMARY TABLE BY SECTION OF ADMINISTRATIVE AND PROGRAMME BUDGET IMPLICATIONS  
FOR 1988, 1989 AND 1990 OF RESOLUTIONS AND DECISIONS ADOPTED BY THE  
COMMISSION AT ITS FORTY-FOURTH SESSION  
(United States dollars)

	Section 23 Human rights				Section 29 B Conference Services Division, Geneva				Overall total
	1988	1989	1990	Total	1988	1989	1990	Total	
<b>Resolutions</b>									
1988/7	70 900	17 200	-	88 100	-	-	-	-	88 100
1988/12	19 400	15 000	-	34 400	-	-	-	-	34 400
1988/26	-	-	-	-	-	55 700	-	55 700	55 700
1988/32	56 900	58 700	1 800	117 400	-	-	-	-	117 400
1988/34	380 700	481 700	100 800	963 200	177 600	180 700	-	358 300	1 321 500
1988/48	47 200	-	-	47 200 <sup>a/</sup>	31 400	-	-	31 400	78 600
1988/50	23 400	4 300	-	27 700 <sup>a/</sup>	-	-	-	-	27 700
1988/51	12 200	2 100	-	14 300 <sup>a/</sup>	-	-	-	-	14 300
1988/52	18 500	3 800	-	22 300 <sup>a/</sup>	-	-	-	-	22 300
1988/55	57 200	59 100	1 900	118 200	-	-	-	-	118 200
1988/65	55 300	1 800	-	57 100	-	-	-	-	57 100
1988/67	54 800	2 500	-	57 300	-	-	-	-	57 300
1988/68	67 400	70 000	2 600	140 000	-	-	-	-	140 000
1988/69	61 300	3 500	-	64 800	-	-	-	-	64 800
1988/71	-	-	-	-	-	70 700	-	70 700	70 700
1988/75	-	-	-	-	166 400	-	-	166 400	166 400
1988/76	10 000	-	-	10 000	-	-	-	-	10 000
1988/78	105 200	3 500	-	108 700	-	-	-	-	108 700
<b>Decisions</b>									
1988/103	-	-	-	-	-	47 700	-	47 700	47 700
1988/106	83 000	19 300	-	102 300	76 500	59 900	-	136 400	238 700
1988/107	-	-	-	-	-	274 300	-	274 300	274 300
<b>TOTAL</b>	<b>1 123 400</b>	<b>742 500</b>	<b>107 100</b>	<b>1 973 000</b>	<b>451 900</b>	<b>689 000</b>	<b>-</b>	<b>1 140 900</b>	<b>3 113 900</b>

<sup>a/</sup> These amounts to be incurred under section 24 (Regular programme of technical co-operation).

Resolution 1988/7. 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

3. In paragraph 7 of resolution 1988/7, 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.

B. Relationship of requests to programme of work

4. 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).

5. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

6. It is envisaged that in order to carry out his mandate the Special Rapporteur will travel to Geneva in May/June 1988 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 1988 in order to prepare his report and in December 1988 in order to finalize it. Also in 1988, the Special Rapporteur will travel to New York to present an interim report to the General Assembly at its forty-third session. In February/March 1989 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-fifth session. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake two field missions during 1988.

7. Eight 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

8. No modifications are required in the programme of work for 1988-1989, since the activity appears under programme element 1.3.

E. Additional requirements at full cost

9. The estimated cost of the above programme of work is itemized as follows (travel costs are calculated on a notional basis):

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1988 (5 working days)</u>		
Travel and subsistence	2 700	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report, October 1988 (5 working days)</u>		
Travel and subsistence	2 700	-
<u>Two 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 each)</u>		
Travel costs of the Special Rapporteur	5 000	-
Travel costs of substantive staff	9 200	-
General operating expenses: local transport, communications and rental of office space	2 000	-
<u>One round trip to New York to submit an interim report to the General Assembly at its forty-third session (5 working days)</u>		
Travel costs of the Special Rapporteur	3 200	-
<u>One round trip to Geneva of the Special Rapporteur to finalize his report, December 1988 (5 working days)</u>		
Travel and subsistence	2 700	-

1988      1989  
(US dollars)

One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)

Travel and subsistence	-	2 700
 <u>General temporary assistance</u>		
Eight work-months at P-3 level	43 400	14 500
Total	<u>70 900</u>	<u>17 200</u>

10. The relevant costs to be financed under section 23 (Human rights) are estimated at \$70,900 for 1988 and \$17,200 for 1989.

11. Should the services of an interpreter be required during the field missions, salary, travel and subsistence costs are estimated at \$4,500 for each mission, to be financed under section 29 B (Conference Services Division, Geneva).

Resolution 1988/12. 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: report of the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

A. Requests contained in the resolution or decision

12. In paragraph 3 of resolution 1988/12, the Commission on Human Rights invited 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 he may consider necessary and appropriate, including explanations of responses, if any, and to submit the updated report to the Commission on Human Rights through the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(b) To use all available material from other United Nations organs, Member States, specialized agencies 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.

13. In paragraph 6 of the resolution, the Commission requested the Secretary-General, in accordance with General Assembly resolution 41/95, to make available to the Special Rapporteur two economists to help him to develop his work of analysis and documentation of certain specific cases of particular importance.

14. In paragraph 7 of the resolution, the Commission requested the Secretary-General to give the Special Rapporteur all the assistance that he might 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.

15. In paragraph 8 of the resolution, the Commission invited the Secretary-General to continue to give the updated report the widest distribution and publicity as a United Nations publication.

#### B. Relationship of requests to programme of work

16. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 2, "Elimination and prevention of discrimination and protection of minorities and vulnerable groups", the strategy for which is described in paragraph 6.27 of the medium-term plan for the period 1984-1989 (A/37/6).

17. The following programme element of section 23 (Human rights) of the programme budget for 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 2.1 - Elimination and prevention of discrimination and protection of minorities and vulnerable groups

Output: (viii) Annual reports containing lists of organizations giving support to the racist régime in South Africa.

#### C. Activities by which the requests would be implemented

18. It is envisaged that the Special Rapporteur will travel from Cairo to New York for a period of five working days in the early part of 1988 in order to establish direct contacts with the Centre on Transnational Corporations and the Centre against Apartheid. Later in the year he will travel from Cairo to Geneva for five working days for consultations with the Centre for Human Rights. As requested in paragraph 6 of the resolution, the services of two economists will be retained on a consultancy basis for a period of three months. Computer services will also be provided to the Special Rapporteur in order to facilitate the updating of his report. The updated report would be translated and published in Arabic, Chinese, English, French, Russian and Spanish and made available to all interested parties.

D. Modifications required in the programme of work

19. No modification in the programme of work for 1988-1989 is required.

E. Additional requirements at full cost

20. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
Travel and subsistence costs for the Special Rapporteur	4 400	-
Consultant economists to assist the Special Rapporteur with analytical work	15 000	15 000
Total	<u>19 400</u>	<u>15 000</u>

F. Potential for absorption

21. The Secretariat will endeavour to absorb these costs from within resources already appropriated under sections 23 (Human rights) and 28 H (Division of Administration, Geneva) of the programme budget for the biennium 1988-1989.

Resolution 1988/26. The right to development

A. Requests contained in the resolution or decision

22. In paragraph 6 of resolution 1988/26, the Commission on Human Rights decided to convene the Working Group of Governmental Experts on the Right to Development on an open-ended basis during the last week of January 1989.

B. Relationship of requests to programme of work

23. 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).

24. The following programme element of section 23 (Human rights) of the 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 Governmental Experts on the Right to Development.

C. Activities by which the requests would be implemented

25. 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

26. No modifications are required in the programme of work for 1988-1989, since the activity appears under programme element 4.1.

E. Additional requirements at full cost

27. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$55,700 for 1989.

F. Potential for absorption

28. In accordance with established practice, the above-mentioned conference servicing requirements were calculated on a full cost basis for information purposes. However, as indicated in paragraph 29.6 of the programme budget (A/42/6), the 1988-1989 requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and included in the Secretary-General's estimates. In other words, provision has been made in the programme budget not only for the meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in this biennium is consistent with the pattern experienced over the past five years. On that basis, it is estimated that no additional appropriation will be required under section 29 of the programme budget for the biennium 1988-1989 as a result of the adoption of resolution 1988/26.

Resolution 1988/32. Torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur

A. Requests contained in the resolution or decision

29. In paragraph 7 of resolution 1988/32, the Commission on Human Rights decided to continue the mandate of the Special Rapporteur for two years, in order to enable him to submit further conclusions and recommendations to the Commission.



B. Relationship of requests to programme of work

30. 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).

31. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

32. It is envisaged that in order to carry out his mandate the Special Rapporteur will travel to Geneva for a period of five working days in May/June 1988 and May/June 1989 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 1988 and October 1989 in order to prepare his reports, and in December 1988 and in December 1989 in order to finalize them. In February/March 1989 and February/March 1990 he will travel to Geneva for a period of five working days to present his reports to the Commission on Human Rights at its forty-fifth and forty-sixth sessions. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake two field missions, one in 1988 and one in 1989.

33. Twelve work-months of temporary assistance at the P-3 level will be required to assist the Special Rapporteur in the preparation of his reports.

D. Modifications required in the programme of work

34. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

35. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>	<u>1990</u>
	(US dollars)		
<u>Two round trips to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1988 and May/June 1989 (5 working days each)</u>			
Travel and subsistence	1 800	1 800	-
<u>Two 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 each)</u>			
Travel costs of the Special Rapporteur	2 500	2 500	-
Travel costs of substantive staff	4 600	4 600	-
General operating expenses: local transport, communications and rental of office space	1 000	1 000	-
<u>Two round trips to Geneva of the Special Rapporteur to prepare his reports, October 1988 and October 1989 (5 working days each)</u>			
Travel and subsistence	1 800	1 800	-
<u>Two round trips to Geneva of the Special Rapporteur to finalize his reports, December 1988 and December 1989 (5 working days each)</u>			
Travel and subsistence	1 800	1 800	-

	<u>1988</u>	<u>1989</u> (US dollars)	<u>1990</u>
<u>Two round trips to Geneva of the Special Rapporteur to present his reports to the Commission on Human Rights at its forty-fifth and forty-sixth sessions, February/March 1989 and February/March 1990 (5 working days each)</u>			
Travel and subsistence	-	1 800	1 800
<u>General temporary assistance</u>			
Twelve work-months at P-3 level	<u>43 400</u>	<u>43 400</u>	-
Total	<u>56 900</u>	<u>58 700</u>	<u>1 800</u>

36. The related costs to be financed under section 23 (Human rights) are estimated at \$56,900 for 1988 and \$58,700 for 1989 and \$1,800 for 1990.

37. Should the services of an interpreter be required during the field missions, salary, travel and subsistence costs are estimated at \$4,500 for each mission, to be financed under section 29 B (Conference Services Division, Geneva).

#### F. Potential for absorption

38. The Secretariat will endeavour to absorb the above costs from within resources under sections 23 and 29.

### Resolution 1988/34. Question of enforced or involuntary disappearances

#### A. Requests contained in the resolution or decision

39. In paragraphs 3, 4 and 5 of resolution 1988/34, the Commission on Human Rights decided to extend for two years the mandate of the Working Group on Enforced or Involuntary Disappearances, as laid down in Commission resolution 20 (XXXVI), in accordance with the recommendations of the Working Group, while maintaining its annual reporting cycle, and requested the Working Group to report to the Commission, at its forty-fifth and forty-sixth sessions, on its work and to submit to it all appropriate information and concrete suggestions and recommendations. In paragraph 12 the Commission requested the Secretary-General to ensure that the Working Group received all necessary assistance, in particular the staff and resources it required to perform its functions.

## B. Relationship of requests to programme of work

40. 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 objective 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).

41. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (v) Substantive servicing of the Working Group on Enforced or Involuntary Disappearances, including organization of three series of meetings per annum, consultations, field visits and maintenance of records.

## C. Activities by which the requests would be implemented

42. It is assumed that the work programme of the Working Group during 1988 and 1989, as outlined below, will follow a pattern similar to that in previous years. The estimate of financial implications is based on the following assumptions:

(a) The Working Group, composed of five members, will meet in New York in May/June 1988 and in May/June 1989 for a period of five working days, in order to receive and examine available information from Governments, intergovernmental organizations, humanitarian organizations, and other reliable sources;

(b) The Working Group will meet in Geneva in September 1988 and September 1989 for a period of five working days to receive and examine available information;

(c) The Working Group will meet in Geneva in December 1988 and December 1989 for a period of eight working days to receive and examine available information as well as to consider and adopt its report for submission to the Commission at its forty-fifth and forty-sixth sessions;

(d) For the purpose of establishing direct contacts with Governments, two members of the Working Group, accompanied by two staff members of the Centre for Human Rights, will undertake four field missions during the two-year mandate (two in 1988 and two in 1989);

(e) One staff member at the P-3 level and two at the P-2 level, one computer operations clerk and two secretaries will be required to provide the Working Group with necessary services for the substantive preparation and servicing of three annual sessions as well as field missions, the screening of incoming reports, the transmittal to Governments of cases approved by the Group for transmittal and the connected correspondence, and to assist the Group in the preparation of its annual report to the Commission.

(f) Computer and word-processing services will be required to organize and assess the data collected on missing persons and to reduce staff costs. Existing electronic data processing (EDP) equipment will have to be replaced during the coming two-year period.

D. Modifications required in the programme of work

43. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

44. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>	<u>1990</u>
	(US dollars)		
<u>I. Meetings in New York, May/June 1988</u>			
<u>and May/June 1989 (5 working days each)</u>			
Travel and subsistence of five experts	16 000	16 000	-
Travel and subsistence of two substantive officers	<u>4 800</u>	<u>4 800</u>	-
Total I	<u>20 800</u>	<u>20 800</u>	
<u>II. Meetings in Geneva, September 1988</u>			
<u>and September 1989 (5 working days each)</u>			
Travel and subsistence of five experts	<u>11 500</u>	<u>11 500</u>	
Total II	<u>11 500</u>	<u>11 500</u>	
<u>III. Meetings in Geneva, December 1988</u>			
<u>and December 1989 (8 working days each)</u>			
Travel and subsistence of five experts	<u>15 500</u>	<u>15 500</u>	
Total III	<u>15 500</u>	<u>15 500</u>	

	<u>1988</u>	<u>1989</u>	<u>1990</u>
	(US dollars)		
<u>IV. Four separate field missions during the two-year mandate for two members of the Working Group, accompanied by two staff members from the Centre for Human Rights, for the establishment of direct contacts (calculated on a notional basis for a period of 5 working days for each visit)</u>			
Travel and subsistence of two members of the Working Group			
4 x \$2,500 x 2	10 000	10 000	-
Travel and subsistence of two substantive officers			
4 x \$2,300 x 2	9 200	9 200	-
General operating expenses: local transport, communications and rental of office facilities			
	2 000	2 000	-
Total IV	<u>21 200</u>	<u>21 200</u>	-
<u>V. Staffing resources to service the Working Group, April 1988 to March 1990</u>			
1 staff member at the P-3 level	65 200	86 900	21 700
2 staff members at the P-2 level	105 800	141 000	35 200
3 staff members at the General Service level	<u>131 100</u>	<u>174 900</u>	<u>43 700</u>
Total V	<u>302 100</u>	<u>402 800</u>	<u>100 600</u>
<u>VI. Other requirements</u>			
(a) Overtime for General Service staff	900	1 200	200
(b) Replacement of 2 Wang work stations by 2 PC screens	<u>8 700</u>	<u>8 700</u>	-
Total VI	<u>9 600</u>	<u>9 900</u>	<u>200</u>

1988      1989      1990  
(US dollars)

VII. Computer services costs

Data entry, programming, storage and production costs (section 28 G and H)	<u>8 300</u>	<u>11 000</u>	<u>2 800</u>
Total VII	<u>8 300</u>	<u>11 000</u>	<u>2 800</u>

45. On the basis of the foregoing, the relevant costs under section 23 (Human rights) are estimated at \$380,700 for 1988, \$481,700 for 1989 and \$100,800 for 1990. EDP services are estimated at \$8,300 for 1988, \$11,000 for 1989 and \$2,800 for 1990, to be incurred under section 28 G and H (Electronic Data Processing and Information Systems Division and Division of Administration, Geneva). The related conference servicing costs, calculated on a full cost basis, are estimated at \$177,600 for 1988 and \$180,700 for 1989, to be financed under section 29 B (Conference Services Division, Geneva).

F. Potential for absorption

46. The Secretariat will endeavour to absorb the above costs from within resources already appropriated in the programme budget for the biennium 1988-1989.

Resolution 1988/48. Study of the problem of discrimination against indigenous populations

A. Requests contained in the resolution or decision

47. By draft resolution IV recommended to the Economic and Social Council for adoption, under Commission resolution 1988/48, the Council would request the Secretary-General to organize in 1988, within the programme of advisory services in the field of human rights, a seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States.

B. Relationship of requests to programme of work

48. The activities proposed in the draft resolution would fall under chapter 6: section II, "Programme: Centre for Human Rights", subprogramme 3 "Advisory services, technical co-operation in the field of human rights and publications", the objectives of and strategy for which are described in paragraphs 6.29 and 6.33 of the medium-term plan for the period 1984-1989 (A/37/6).

49. The following programme element of section 23 (Human rights) of the programme budget for 1988-1989 would be directly affected by the activities referred to in the draft resolution:

Programme element 3.2 - Advisory services and support of technical co-operation activities.

C. Activities by which the requests would be implemented

50. An international seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States would be held in Geneva along the pattern of similar seminars organized within the United Nations human rights programme.

D. Modifications required in the programme of work

51. No modification in the programme of work for 1988-1989 would be required.

E. Additional requirements at full cost

52. On the assumption that the international seminar would be held in Geneva in 1988, using two official languages of the United Nations, over a period of five working days and be attended by 25 participants, including three representatives of national liberation movements recognized by the Organization of African Unity in accordance with General Assembly resolution 3280 (XXIX), the costs are estimated as follows:

	<u>1988</u> (US dollars)
Travel and subsistence of participants	44 200
Consultants Fees for background papers (3 x \$1,000)	<u>3 000</u>
Total	<u>47 200</u>

53. The relevant costs to be financed under section 24 (Regular programme of technical co-operation) are estimated at \$47,200.

54. The relevant costs under section 29 B (Conference Services Division, Geneva), calculated on a full costs basis, are estimated at \$31,400 for 1988.

Resolution 1988/50. Assistance to Guatemala in the field of human rights

A. Requests contained in the resolution or decision

55. In paragraph 8 of resolution 1988/50, the Commission on Human Rights decided to request the Secretary-General to renew the mandate of the Expert for one year, and requested the Expert to submit a report to the Commission at its forty-fifth session.



B. Relationship of requests to programme of work

56. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 3, "Advisory services, technical co-operation in the field of human rights, and publications", the objectives of and strategy for which are described in paragraphs 6.29 and 6.33 of the medium-term plan for the period 1984-1989 (A/37/6).

57. The following programme element of section 23 (Human rights) of the programme budget for the biennium 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 3.2 - Advisory services and support of  
technical co-operation activities

Intermediate output: Support of advisory services and technical co-operation activities in the field of human rights that are financed and detailed under section 24 (Regular programme of technical co-operation).

C. Activities by which the requests would be implemented

58. It is envisaged that the Expert will visit Geneva in May/June 1988 for a period of five working days for the purpose of holding consultations at the Centre for Human Rights and organizing and planning his work in relation to his mandate. In July/August 1988 the Expert, accompanied by one staff member from the Centre for Human Rights, will carry out a field mission to Guatemala for a period of five working days to collect information on the spot. In December 1988 the Expert, accompanied by one staff member from the Centre for Human Rights, will undertake a second field mission to Guatemala for a period of five working days in order to update his report, and later in the same month he will travel to Geneva for a period of five working days in order to finalize it. In February/March 1989, 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-fifth session.

D. Modifications required in the programme of work

59. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 3.2.

E. Additional requirements at full cost

60. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Expert for consultations at the Centre for Human Rights, May/June 1988 (5 working days)</u>		
Travel and subsistence	4 300	-
<u>Two field missions to Guatemala of the Expert, accompanied by one staff member from the Centre for Human Rights (5 working days for each mission)</u>		
Travel and subsistence of the Expert	5 100	-
Travel and subsistence of one staff member from the Centre for Human Rights	7 700	-
General operating expenses: local transport, communications and rental of office facilities	2 000	-
<u>One round trip to Geneva of the Expert to finalize his report, December 1988 (5 working days)</u>		
Travel and subsistence	4 300	-
<u>One round trip to Geneva of the Expert to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)</u>		
Travel and subsistence	-	4 300
Total	<u>23 400</u>	<u>4 300</u>

61. The relevant costs to be financed under section 24 (Regular programme of technical co-operation) are estimated at \$23,400 for 1988 and \$4,300 for 1989.

F. Potential for absorption

62. The Secretariat will endeavour to absorb the above costs from within resources already appropriated in the programme budget for the biennium 1988-1989.

Resolution 1988/51. Assistance to Haiti in the field of human rights

A. Requests contained in the resolution or decision

63. In paragraph 8 of resolution 1988/51, the Commission on Human Rights decided to request the Secretary-General to extend the mandate of the Expert for one year, and requested the Expert to submit a report to the Commission at its forty-fifth session.

B. Relationship of requests to programme of work

64. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 3, "Advisory services technical co-operation in the field of human rights and publications", the objectives of and strategy for which are described in paragraphs 6.29 and 6.33 of the medium-term plan for the period 1984-1989 (A/37/6).

65. The following programme element of section 23 (Human rights) of the programme budget for the biennium 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 3.2 - Advisory services and support of  
technical co-operation activities

Intermediate output: Support of advisory services and technical co-operation activities in the field of human rights that are financed and detailed under section 24 (Regular programme of technical co-operation).

C. Activities by which the requests would be implemented

66. It is envisaged that the Expert will visit Geneva in May/June 1988 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. In July/August 1988 the Expert, accompanied by one staff member from the Centre for Human Rights, will carry out a field mission to Haiti for a period of five working days to collect information on the spot. In November/December 1988 the Expert will travel to Geneva for a period of five working days to prepare his report. In February/March 1989 the Expert will again travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fifth session.

D. Modifications required in the programme of work

67. No modifications are required in the programme of work for 1988-1989 since the activity envisaged appears under programme element 3.2.

E. Additional requirements at full cost

68. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Expert for consultations at the Centre for Human Rights, May/June 1988 (5 working days)</u>		
Travel and subsistence	2 100	-
<u>One field mission to Haiti of the Expert, accompanied by one staff member from the Centre for Human Rights (5 working days)</u>		
Travel and subsistence of the Expert	3 600	-
Travel and subsistence of one staff member from the Centre for Human Rights	3 400	-
General operating expenses: local transport, communications and rental of office facilities	1 000	-
<u>One round trip to Geneva of the Expert to finalize his report, December 1988 (5 working days)</u>		
Travel and subsistence	2 100	-
<u>One round trip to Geneva of the Expert to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)</u>		
Travel and subsistence	-	2 100
Total	<u>12 200</u>	<u>2 100</u>

69. The relevant costs to be financed under section 24 (Regular programme of technical co-operation) are estimated at \$12,200 for 1988 and \$2,100 for 1989.

F. Potential for absorption

70. The Secretariat will endeavour to absorb the above costs from within resources already appropriated in the programme budget for the biennium 1988-1989.

Resolution 1988/52. Situation in Equatorial Guinea

A. Requests contained in the resolution or decision

71. In paragraphs 2 and 3 of resolution 1988/52, the Commission on Human Rights requested 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 made by the Expert appointed by the Secretary-General, and requested the Expert to report to the Commission at its forty-fifth session on the way in which the Government of Equatorial Guinea decided to apply the plan of action and the progress achieved.

B. Relationship of requests to programme of work

72. The activities referred to above fall under chapter 6, section II, "Programme: Centre for Human Rights", subprogramme 3, "Advisory services, technical co-operation in the field of human rights and publications", the objectives of and strategy for which are described in paragraphs 6.29 and 6.33 of the medium-term plan for the period 1984-1989 (A/37/6).

73. The following programme element of section 23 (Human rights) of the programme budget for the biennium 1988-1989 is directly affected by the activities referred to in the resolution:

Programme element 3.2 - Advisory services and support of technical co-operation activities

Intermediate output: Support of advisory services and technical co-operation activities in the field of human rights that are financed and detailed under section 24 (Regular programme of technical co-operation).

C. Activities by which the requests would be implemented

74. It is envisaged that the Expert will undertake a trip to Geneva in May/June 1988 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. In July/August 1988 the Expert, accompanied by one staff member from

the Centre for Human Rights, will carry out a field mission to Equatorial Guinea for a period of five working days to collect information on the spot. In December 1988 he will travel to Geneva for a period of five working days in order to finalize his report. In February/March 1989, 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-fifth session.

D. Modifications required in the programme of work

75. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 3.2.

E. Additional requirements at full cost

76. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Expert for consultations at the Centre for Human Rights, May/June 1988 (5 working days)</u>		
Travel and subsistence	3 800	-
<u>One field mission to Equatorial Guinea of the Expert, accompanied by one staff member from the Centre for Human Rights (5 working days)</u>		
Travel and subsistence of Expert	5 200	-
Travel and subsistence of one staff member from the Centre for Human Rights	3 700	-
General operating expenses: local transport, communications and rental of office facilities	2 000	-
<u>One round trip to Geneva of the Expert to finalize his report, December 1988 (5 working days)</u>		
Travel and subsistence	3 800	-

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Expert to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1980 (5 working days)</u>		
Travel and subsistence	-	3 800
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Total	18 500	3 800
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77. The relevant costs to be financed under section 24 (Regular programme of technical co-operation) are estimated at \$18,500 for 1988 and \$3,800 for 1989.

F. Potential for absorption

78. The Secretariat will endeavour to absorb the above costs from within resources already appropriated in the programme budget for the biennium 1988-1989.

Resolution 1988/55. 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

79. In paragraph 12 of resolution 1988/55, the Commission on Human Rights decided to extend for two years the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world which were 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 programme of work

80. 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).

81. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

82. It is envisaged that in order to carry out his mandate the Special Rapporteur will travel to Geneva in May/June 1988 and May/June 1989 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 1988 and October 1989 in order to prepare his reports and in December 1988 and December 1989 in order to finalize them. In February/March 1989 and February/March 1990 he will travel to Geneva for a period of five working days to present his reports to the Commission on Human Rights at its forty-fifth and forty-sixth sessions. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, will undertake two field missions during 1988 and 1989.

83. Twelve 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

84. No modifications are required in the programme of work approved for 1988-1989, since the activity appears under programme element 1.3.

E. Additional requirements at full cost

85. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>	<u>1990</u>
		(US dollars)	
<u>Two round trips to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1988 and May/June 1989 (5 working days each)</u>			
Travel and subsistence	1 900	1 900	-



	<u>1988</u>	<u>1989</u> (US dollars)	<u>1990</u>
<u>Two 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 each)</u>			
Travel costs of the Special Rapporteur	2 500	2 500	-
Travel costs of substantive staff	4 600	4 600	-
General operating expenses: local transport, communications and rental of office space	1 000	1 000	-
<u>Two round trips to Geneva of the Special Rapporteur to prepare his reports, October 1988 and October 1989 (5 working days each)</u>			
Travel and subsistence	1 900	1 900	-
<u>Two round trips to Geneva of the Special Rapporteur to finalize his reports, December 1988 and December 1989 (5 working days each)</u>			
Travel and subsistence	1 900	1 900	-
<u>Two round trips to Geneva of the Special Rapporteur to present his reports to the Commission on Human Rights at its forty-fifth and forty-sixth sessions, February/March 1989 and February/March 1990 (5 working days each)</u>			
Travel and subsistence	-	1 900	1 900
<u>General temporary assistance</u>			
Twelve work-months at P-3 level	43 400	43 400	
Total	57 200	59 100	1 900

86. The related costs to be financed under section 23 (Human rights) are estimated at \$57,200 for 1988, \$59,100 for 1989 and \$1,900 for 1990.

87. Should the services of an interpreter be required during the field missions, salary, travel and subsistence costs are estimated at \$4,500 for each mission, to be financed under section 29 B (Conference Services Division, Geneva).

F. Potential for absorption

88. The Secretariat will endeavour to absorb the above costs from within resources already appropriated under sections 23 and 29.

Resolution 1988/65. Situation of human rights in El Salvador

A. Requests contained in the resolution or decision

89. In paragraphs 15 and 16 of resolution 1988/65, the Commission on Human Rights decided to extend the mandate of the Special Representative for another year and requested him to submit his report on further developments in the situation of human rights in El Salvador to the General Assembly at its forty-third session and to the Commission at its forty-fifth session.

B. Relationship of requests to programme of work

90. 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).

91. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

92. It is envisaged that in May/June 1988 the Special Representative 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 1988 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 1988, 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 1988 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-third session. In February/March 1989, 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-fifth session.

93. 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 processing of the information collected and in the preparation of the final report.

D. Modifications required in the programme of work

94. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

95. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Representative for consultations at the Centre for Human Rights, May/June 1988 (5 working days)</u>		
Travel and subsistence	1 800	-
<u>Field mission to El Salvador of the Special Representative, July/August 1988 (15 working days)</u>		
Travel and subsistence of the Special Representative	5 300	-
Travel and subsistence of two staff members from the Centre for Human Rights	9 600	-
General operating expenses: local transport, communications and rental of office facilities	1 000	-

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Representative to prepare his report, September 1988 (5 working days)</u>		
Travel and subsistence	1 800	-
<u>One round trip to Geneva of the Special Representative to finalize his report, November 1988 (5 working days)</u>		
Travel and subsistence	1 800	-
<u>One round trip to New York of the Special Representative to present his report to the General Assembly at its forty-third session, November/December 1988 (5 working days)</u>		
Travel and subsistence	4 000	-
<u>One round trip to Geneva of the Special Representative to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)</u>		
Travel and subsistence	-	1 800
<u>General temporary assistance</u>		
Four work-months at the P-3 level	30 000	-
Total	<u>55 300</u>	<u>1 800</u>

96. The relevant costs to be financed under section 23 (Human rights) are estimated at \$55,300 for 1988 and \$1,800 for 1989.

#### F. Potential for absorption

97. The Secretariat will endeavour to absorb the above costs from within resources already appropriated under section 23 (Human rights).

Resolution 1988/67. Question of human rights and fundamental freedoms in Afghanistan

A. Requests contained in the resolution or decision

98. In paragraph 15 of resolution 1988/67 the Commission on Human Rights decided to extend for a year the mandate of the Special Rapporteur and requested him to report to the General Assembly at its forty-third session and to the Commission at its forty-fifth session on the situation of human rights in Afghanistan.

B. Relationship of requests to programme of work

99. 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).

100. The following programme element of section 23 (Human rights) of the programme budget for 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

101. It is envisaged that the Special Rapporteur will undertake consultations in Geneva at the end of May 1988 for a period of five working days. In July 1988 the Special Rapporteur, accompanied by two staff members from the Centre for Human Rights, will carry out a field mission to the region for a period of 10 working days. He will also visit Geneva during August/September 1988 for a period of five working days to prepare his report to the General Assembly. Subsequently, he will spend five working days in New York at the time of the submission of his report to the General Assembly at its forty-third session. He will then visit Geneva for five working days in December 1988 to prepare his report to the Commission, and will visit Geneva again to present it to the Commission at its forty-fifth session.

102. Additional staffing resources to assist the Special Rapporteur with the preparation of his report will be required for a period of four months in 1988.

D. Modifications required in the programme of work

103. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

104. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1988 (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, July 1988 (10 working days)</u>		
Travel costs of the Special Rapporteur	4 200	-
Travel costs of substantive staff	8 400	-
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, August/September 1988 (5 working days)</u>		
Travel and subsistence	2 500	-
<u>One round trip to New York of the Special Rapporteur to submit an interim report to the General Assembly at its forty-third session (November/December 1988) (5 working days)</u>		
Travel and subsistence	3 700	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report to the Commission on Human Rights, December 1988 (5 working days)</u>		
Travel and subsistence	2 500	-

1988            1989  
(US dollars)

One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)

Travel and subsistence	-	2 500
 <u>General temporary assistance</u>		
Four work-months at the P-3 level	30 000	-
	-----	-----
Total	54 800	2 500
	-----	-----

105. The relevant costs to be financed under section 23 (Human rights) are estimated at \$54,800 for 1988 and \$2,500 for 1989.

106. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$4,500, to be financed under section 29 B (Conference Services Division, Geneva).

F. Potential for absorption

107. The Secretariat will endeavour to absorb the above costs from within resources already appropriated under section 23 (Human rights).

Resolution 1988/68. Summary of arbitrary executions

A. Requests contained in the resolution or decision

108. By operative paragraph 4 of draft resolution VII recommended to the Economic and Social Council for adoption under Commission on Human Rights resolution 1988/68, the Council would decide to renew the mandate of the Special Rapporteur for two years, in order to enable him to submit further conclusions and recommendations to the Commission at its forty-fifth and forty-sixth sessions.

B. Relationship of requests to programme of work

109. 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).

110. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

111. In order to carry out his mandate, the Special Rapporteur would envisage that in May/June 1988 and May/June 1989 he would 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 would travel to Geneva in October 1988 and October 1989 for a period of five working days in order to prepare his report and in December 1988 and December 1989 for a further period of five working days in order to finalize it. In February/March 1989 and February/March 1990, he would travel to Geneva for a period of five working days to present his report to the Commission on Human Rights at its forty-fifth and forty-sixth sessions. In order to respond to invitations from Governments, the Special Rapporteur, accompanied by two substantive officers, would undertake two missions in 1988 and two missions in 1989.

112. Twelve 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

113. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

114. The estimated cost of the above programme of work is itemized as follows:



	<u>1988</u>	<u>1989</u>	<u>1990</u>
	(US dollars)		
<u>Two round trips to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May/June 1988 and May/June 1989 (5 working days each)</u>			
Travel and subsistence	2 600	2 600	-
 <u>Four 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 4 x \$2,500	5 000	5 000	-
Travel costs of substantive staff 4 x \$2,300 x 2	9 200	9 200	-
General operating expenses: local transport, communications and rental of office space	2 000	2 000	-
 <u>Two round trips to Geneva of the Special Rapporteur to prepare his reports, October 1988 and October 1989 (5 working days each)</u>			
Travel and subsistence	2 600	2 600	-
 <u>Two round trips to Geneva of the Special Rapporteur to finalize his reports, December 1988 and December 1989 (5 working days each)</u>			
Travel and subsistence	2 600	2 600	-

1988            1989            1990  
 (US dollars)

Two round trips to Geneva of the  
 Special Rapporteur to present his  
 reports to the Commission on Human Rights  
 at its forty-fifth and forty-sixth sessions,  
 February/March 1989 and February/March 1990  
 (5 working days each)

Travel and subsistence	-	2 600	2 600
 <u>General temporary assistance</u>			
Twelve work-months at P-3 level	43 400	43 400	-
	-----	-----	-----
Total	67 400	70 000	2 600
	-----	-----	-----

115. The relevant costs to be financed under section 23 (Human rights) are estimated at \$67,400 for 1988, \$70,000 for 1989 and \$2,600 for 1990.

116. Should the services of an interpreter be required during the field missions, salary, travel and subsistence costs are estimated at \$4,500 for each visit, to be financed under section 29 B (Conference Services Division, Geneva).

#### F. Potential for absorption

117. The Secretariat will endeavour to absorb these costs from within resources already appropriated under sections 23 and 29.

### Resolution 1988/69 Human rights situation in the Islamic Republic of Iran

#### A. Requests contained in the resolution or decision

118. In paragraph 11 of resolution 1988/69, the Commission on Human Rights decided to extend the mandate of the Special Representative, as contained in its resolution 1985/54, for a further year.

#### B. Relationship of requests to programme of work

119. 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).

120. The following programme element of section 23 (Human rights) of the programme budget for the biennium 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

121. It is envisaged that the Special Representative will undertake consultations in Geneva in May/June 1988 for a period of five working days. The Special Representative, accompanied by two staff members from the Centre for Human Rights, will carry out a field mission to the region for a period of 10 working days. He will also visit Geneva for a period of five working days to prepare his report to the General Assembly. Subsequently, he will spend five working days in New York at the time of the submission of his report to the General Assembly at its forty-third session. He will then visit Geneva for five working days in December to finalize his report, and will visit Geneva again in February/March 1989 to present it to the Commission at its forty-fifth session.

122. Additional staffing resources to assist the Special Representative with the preparation of his report will be required for a period of four months in 1988.

D. Modifications required in the programme of work

123. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

124. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Representative for consultations at the Centre for Human Rights, May/June 1988 (5 working days)</u>		
Travel and subsistence	3 500	-

	<u>1988</u>	<u>1989</u>
	(US dollars).	
<u>Field mission to the Islamic Republic of Iran, accompanied by two staff members from the Centre for Human Rights, August/September 1988 (10 working days)</u>		
Travel and subsistence of the Special Representative	7 400	-
Travel and subsistence of two substantive officers	10 100	-
General operating expenses: local transport, communications and rental of office space	1 000	-
<u>One round trip to Geneva of the Special Representative to prepare his report, September/October 1988 (5 working days)</u>		
Travel and subsistence	3 500	-
<u>One round trip to New York of the Special Representative to present his report to the General Assembly at its forty-third session, October/December 1988 (5 working days)</u>		
Travel and subsistence	2 300	-
<u>One round trip to Geneva of the Special Representative to finalize his report, December 1988 (5 working days)</u>		
Travel and subsistence	3 500	-

1988            1989  
(US dollars)

One round trip to Geneva of the Special Representative to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)

Travel and subsistence	-	3 500
 <u>General temporary assistance</u>		
Four work-months at P-3 level	30 000	-
	-----	-----
Total	61 300	3 500
	-----	-----

125. The relevant costs to be financed under section 23 (Human rights) are estimated at \$61,300 for 1988 and \$3,500 for 1989.

126. Should the services of an interpreter be required during the field mission, salary, travel and subsistence costs are estimated at \$7,000, to be financed under section 29 B (Conference Services Division, Geneva).

F. Potential for absorption

127. The Secretariat will endeavour to absorb these costs from within resources already appropriated under section 23 (Human rights).

Resolution 1988/71. 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

128. By operative paragraph 1 of draft resolution VIII recommended to the Economic and Social Council for adoption under Commission on Human Rights resolution 1988/71, the Council would authorize an open-ended working group to meet for a period of one week prior to the forty-fifth session of the Commission 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.

#### B. Relationship of requests to programme of work

129. As a programme element in the programme of work proposed for 1988-1989 in the programme budget, the activities referred to above fall under 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).

130. The following programme element of section 23 (Human rights) of the programme budget for 1988-1989 is directly affected by the activities referred to in the draft resolution:

##### Programme element 4.1 - Standard setting

Output: (v) Substantive servicing of the pre-session 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

131. 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

132. No modifications are required in the programme of work for 1988-1989 since this activity appears under programme element 4.1.

#### E. Additional requirements at full cost

133. There would be no additional costs arising under section 23 (Human rights) from the substantive servicing of the open-ended working group. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$70,700 for 1989.

#### F. Potential for absorption

134. In accordance with established practice, the above-mentioned conference servicing requirements were calculated on a full cost basis for information purposes. However, as indicated in paragraph 29.6 of the programme budget (A/42/6), the 1988-1989 requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and included in the Secretary-General's estimates. In other words, provision has been made in the programme budget not only for the meetings known at the time the budget was

prepared, but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in this biennium is consistent with the pattern of the past five years. On that basis, it is estimated that no additional appropriation would be required under section 29 of the programme budget for the biennium 1988-1989 as a result of the adoption of the draft resolution.

Resolution 1988/75. Question of a convention on the rights of the child

A. Requests contained in the resolution or decision

135. By operative paragraph 1 of draft resolution IX recommended to the Economic and Social Council for adoption under Commission on Human Rights resolution 1988/75, the Council would authorize, within existing resources, a meeting of the open-ended working group for a period of up to two weeks in November-December 1988 with a view to completing the second reading of the draft convention on the rights of the child prior to the forty-fifth session of the Commission.

B. Relationship of requests to programme of work

136. 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 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).

137. The following programme element of section 23 (Human rights) of the 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-session 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

138. 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

139. 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

140. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$166,400 for 1988.

#### F. Potential for absorption

141. In accordance with established practice, the above-mentioned conference servicing requirements were calculated on a full cost basis for information purposes. However, as indicated in paragraph 29.6 of the programme budget (A/42/6), the 1988-1989 requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and included in the Secretary-General's estimates. In other words, provision has been made in the programme budget not only for the meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in this biennium is consistent with the pattern experienced over the past five years. On that basis, it is estimated that no additional appropriation would be required under section 29 of the programme budget for the biennium 1988-1989 as a result of the adoption of the draft resolution.

#### Resolution 1988/76. Prevention of the disappearance of children

142. The administrative and programme budget implications of Commission on Human Rights resolution 1988/76 are estimated at \$10,000 for 1988. The costs, to be financed under section 23 (Human rights), are calculated on a notional basis to cover the field mission of one or several members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities in order to maintain contact with the competent authorities and institutions, including humanitarian organizations, on the question of the prevention of the disappearance of children.

#### Resolution 1988/78. Question of human rights in Chile

##### A. Requests contained in the resolution or decision

143. In paragraph 12 of resolution 1988/78, 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-third session and to the Commission at its forty-fifth session.



## B. Relationship of requests to programme of work

144. 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).

145. The following programme element of section 23 (Human rights) of the programme budget for 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: (vii) and (viii) 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 and field missions; and drafting of reports to responsible organs.

## C. Activities by which the requests would be implemented

146. It is envisaged that the Special Rapporteur will undertake consultations in Geneva at the end of May 1988 for a period of five working days. In July 1988 the Special Rapporteur, accompanied by two staff members from the Centre for Human Rights, will carry out a field mission to the region for a period of 10 working days. He will also visit Geneva during August/September 1988 for a period of five working days to prepare his report to the General Assembly. Subsequently, he will spend five working days in New York at the time of the submission of his report to the General Assembly at its forty-third session. He will then visit Geneva for five working days in December 1988 to finalize his report to the Commission, and will visit Geneva again to present it to the Commission at its forty-fifth session.

147. Additional staffing resources to assist the Special Rapporteur with the preparation of his report will be required for a period of 12 months in 1988.

## D. Modifications required in the programme of work

148. No modifications are required in the programme of work approved for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

149. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>One round trip to Geneva of the Special Rapporteur for consultations at the Centre for Human Rights, May 1988 (5 working days)</u>		
Travel and subsistence	3 500	-
<u>Field mission to region of the Special Rapporteur, accompanied by two staff members from the Centre for Human Rights, July 1988 (10 working days)</u>		
Travel and subsistence of Special Rapporteur	4 500	-
Travel and subsistence of two staff members from the Centre for Human Rights	11 200	-
General operating expenses: local transport, communications and rental of office facilities	2 000	-
<u>One round trip to Geneva of the Special Rapporteur to prepare his report to the General Assembly, August/September 1988 (5 working days)</u>		
Travel and subsistence	3 500	-
<u>One round trip to New York of the Special Rapporteur to present his report to the General Assembly at its forty-third session (5 working days)</u>		
Travel and subsistence	2 500	-
<u>One round trip to Geneva of the Special Rapporteur to finalize his report to the Commission on Human Rights, December 1988 (5 working days)</u>		
Travel and subsistence	3 500	-
<u>One round trip to Geneva of the Special Rapporteur to present his report to the Commission on Human Rights at its forty-fifth session, February/March 1989 (5 working days)</u>		
Travel and subsistence		3 500

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<u>General temporary assistance</u>		
6 work-months at the P-3 level	43 400	-
6 work-months at the General Service level	29 100	-
<u>Publications, press clippings and other related services required on a yearly subscription basis</u>		
	2 000	-
Total	----- 105 200	----- 3 500

150. The related costs to be financed under section 23 (Human rights) are estimated at \$105,200 for 1988 and \$3,500 for 1989.

F. Potential for absorption

151. The secretariat will endeavour to absorb these costs from within resources already appropriated under section 23 (Human rights).

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

152. By decision 1988/103, 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-fifth 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 fortieth session under Economic and Social Council resolution 1503 (XLVIII) and those situations of which the Commission was seized.

B. Relationship of requests to programme of work

153. 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).

154. 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

155. 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

156. No modifications are required in the programme of work for 1988-1989 since the activity appears under programme element 1.2.

E. Additional requirements at full cost

157. Conference servicing costs to be financed under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$47,700 for 1989.

Decision 1988/106

A. Requests contained in the draft resolution or decision

158. By decision 1988/106, the Commission on Human Rights decided that the Chairman and five members of the Commission, to be appointed following regional consultations, would visit Cuba in order to observe the human rights situation and report to the Commission thereon.

B. Relationship of requests to programme of work

159. 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 to 6.23 of the medium-term plan for the period 1984-1989.

160. The following programme element of section 23 (Human rights) of the programme budget for the biennium 1988-1989 is directly affected by the activities referred to in the draft decision:

Programme element 1.3: - Servicing special procedures including assistance to ad hoc investigatory or fact-finding bodies

Output (vii) and (viii) 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 and field missions; drafting of reports to responsible organs.

C. Activities by which the requests would be implemented

161. In order to determine the programme budget implications of the draft decision, the following assumptions are made:

(a) The members of the Commission will meet for one week in Geneva in May/June 1988 in order to plan their work and gather information in relation to their mandate;

(b) In July/August 1988, the members of the Commission, accompanied by substantive and conference staff, will carry out a visit to Cuba for a period of five working days;

(c) In January 1989, the members of the Commission will meet in Geneva for a period of five working days to consider and adopt their report to the Commission on Human Rights at its forty-fifth session.

D. Modifications required in the programme of work

162. No modifications are required in the programme of work for 1988-1989 since the activity appears under programme element 1.3.

E. Additional requirements at full cost

163. The estimated cost of the above programme of work is itemized as follows:

	<u>1988</u>	<u>1989</u>
	(US dollars)	
I. <u>Meeting in Geneva,</u> <u>May/June 1988 (5 working days)</u>		
Travel and subsistence of members	19 300	-
	-----	-----
Total I	19 300	-
	-----	-----

	<u>1988</u>	<u>1989</u>
	(US dollars)	
<b>II. <u>Visit to Cuba,</u></b>		
<b><u>July/August 1988 (5 working days)</u></b>		
Travel and subsistence of members	19 100	-
Travel and subsistence of staff of the Centre for Human Rights	9 600	-
Substantive officers	2	
Secretary	1	
General operating expenses, including rental of conference rooms and office space, local transportation and communications	5 000	-
	-----	-----
Total II	33 700	-
	-----	-----
<b>III. <u>Meeting in Geneva,</u></b>		
<b><u>January 1989 (5 working days)</u></b>		
Travel and subsistence of members	-	19 300
		-----
Total III	-	19 300
		-----
<b>IV. <u>Other requirements</u></b>		
Temporary assistance for gathering information, compiling materials and assisting in the preparation of the report (P-3 staff member for 4 months)	30 000	-
	-----	
Total IV	30 000	-
	-----	

164. The relevant costs to be financed under section 23 (Human rights) are estimated at \$83,000 for 1988 and \$19,300 for 1989.

165. The relevant costs under section 29 B (Conference Services Division, Geneva), calculated on a full cost basis, are estimated at \$76,500 for 1988 and \$59,900 for 1989.

#### F. Potential for absorption

166. In accordance with established practice, the above-mentioned conference service requirements were calculated on a full cost basis for information purposes. However, as indicated in paragraph 29.6 of the programme budget (A/42/6), the 1988-1989 requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and included in the Secretary-General's estimates. In other words, provision has been made in the programme budget not only for the meetings known at the time the budget was prepared, but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in this biennium is consistent with the pattern of the past five years. On that basis, it is estimated that no additional appropriation would be required under section 29 of the programme budget for the biennium 1988-1989 as a result of the adoption of the present decision of the Commission on Human Rights. As regards section 23 (Human rights), the Secretariat would endeavour to absorb these costs from within resources already appropriated for the biennium 1988-1989.

#### Decision 1988/107. Organization of the work of the forty-fifth session

##### A. Requests contained in the resolution or decision

167. By decision 1988/107 the Commission on Human Rights decided (a) to recommend to the Economic and Social Council that it authorize, if possible within existing financial resources, 20 fully-serviced 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-fifth session, and (b) to request the chairman of the Commission at its forty-fifth 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.

##### B. Relationship of requests to programme of work

168. As a programme element in the programme of work 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

169. 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

170. There would be no additional costs arising under section 23 (Human rights) from the substantive servicing of the additional meetings.

171. The related costs for 20 fully-serviced additional meetings, including summary records, during the forty-fifth session under section 29 B (Conference Services Division, Geneva), calculated on a full-cost basis, are estimated at \$274,300.

E. Potential for absorption

172. In accordance with established practice, the above-mentioned conference servicing requirements were calculated on a full cost basis for information purposes. However, as indicated in paragraph 29.6 of the programme budget (A/42/6), the 1988-1989 requirements under temporary assistance for meetings have been estimated on the basis of a five-year average of appropriations and actual expenditures for the period 1982-1986, and included in the Secretary-General's estimates. In other words, provision has been made in the programme budget not only for the meetings known at the time of budget preparation but also for meetings that would be authorized subsequently, provided that the number and distribution of meetings and conferences in this biennium is consistent with the pattern experienced over the past five years. On that basis, it is estimated that no additional appropriation would be required under section 29 of the programme budget for the biennium 1988-1989 as a result of the adoption of the decision by the Commission on Human Rights.



Annex IV

LIST OF DOCUMENTS ISSUED FOR THE FORTY-FOURTH SESSION  
OF THE COMMISSION

Documents issued in the general series

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/1	2	Provisional agenda: note by the Secretary-General
E/CN.4/1988/1/Add.1 and Corr.1	2	Annotations to the provisional agenda prepared by the Secretary-General
E/CN.4/1988/2	17 (b)	Note by the Secretary-General
E/CN.4/1988/3	4	Report of the Secretary-General
E/CN.4/1988/4	4	Letter dated 4 January 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/5	4	Note by the Secretary-General
E/CN.4/1988/6	22	Report of the Secretary-General
E/CN.4/1988/7	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 1987/60
E/CN.4/1988/8	6	Interim report of the <u>Ad Hoc</u> Working Group of Experts prepared in accordance with Commission on Human Rights resolutions 1987/8 and 1987/14 and Economic and Social Council resolution 1987/63
E/CN.4/1988/9 and Add.1 and 2	8 (a)	Report of the Secretary-General
E/CN.4/1988/10	8 (a)	Report of the Working Group of Governmental Experts on the Right to Development
E/CN.4/1988/11 and Add.1	8 (c)	Report of the Secretary-General

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/12	12	Note verbale dated 30 July 1987 from the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva addressed to the Commission on Human Rights
E/CN.4/1988/13	9	Report of the Secretary-General
E/CN.4/1988/14	9	Report on the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination, submitted by the Special Rapporteur, Mr. Enrique Bernales Ballesteros (Peru), in fulfilment of the mandate contained in Commission on Human Rights resolution 1987/16
E/CN.4/1988/15	10	Human rights in the administration of justice: note by the Secretary-General
E/CN.4/1988/16	10 (a)	Note by the Secretary-General
E/CN.4/1988/17 and Add.1	10 (a)	Report by the Special Rapporteur, Mr. P. Kooijmans, pursuant to Commission on Human Rights resolution 1987/29
E/CN.4/1988/18	10 (b)	Report of the Secretary-General
E/CN.4/1988/19 and Add.1	10 (c)	Report of the Working Group on Enforced or Involuntary Disappearances
E/CN.4/1988/20 and Add.1	11	Development of public information activities in the field of human rights: report of the Secretary-General
E/CN.4/1988/21	4	Note verbale dated 19 January 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Commission on Human Rights, transmitting letters dated 2 and 10 November 1987, 14 December 1987 and 18 January 1988 from the Permanent Observer of 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.4/1988/22 and Add.1 and 2	12	Summary or arbitrary executions: report by the Special Rapporteur, Mr. S. Amos Wako, pursuant to Economic and Social Council resolution 1987/60
E/CN.4/1988/23	12	Final report to the Commission on Human Rights on the situation of human rights in El Salvador, submitted by Mr. José Pastor Ridruejo, in pursuance of the mandate conferred by Commission resolution 1987/51
E/CN.4/1988/24	12	Report on the human rights situation in the Islamic Republic of Iran by the Special Representative of the Commission, Mr. Reynaldo Galindo Pohl, pursuant to Commission resolution 1987/55
E/CN.4/1988/25	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 1987/58
E/CN.4/1988/26	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.4/1988/27	12 (a)	Report of the Secretary-General submitted pursuant to Commission on Human Rights resolution 1987/50
E/CN.4/1988/28	13	Report of the open-ended working group on a draft convention on the rights of the child
E/CN.4/1988/29	15	Report of the Secretary-General
E/CN.4/1988/30	16	Note by the Secretary-General
E/CN.4/1988/30/ Add.1-8	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>

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/31 and Add.1-3	16	Views and information submitted by States parties, specialized agencies and non-governmental organizations in accordance with Commission resolution 1987/11: note by the Secretary-General
E/CN.4/1988/32	16	Report of the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of <u>Apartheid</u>
E/CN.4/1988/33	17 (b)	Report of the Secretary-General
E/CN.4/1988/34	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.4/1988/35	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.4/1988/36	20	Report of the open-ended working group on the rights of persons belonging to national, ethnic, religious and linguistic minorities
E/CN.4/1988/37 and Corr.1	19	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirty-ninth session
E/CN.4/1988/38	22	Report on Haiti by the Expert, Mr. André Braunschweig, prepared in conformity with Commission resolution 1987/13
E/CN.4/1988/39 and Add.1	11	Regional arrangements for the promotion and protection of human rights in the Asian-Pacific region: report of the Secretary-General
E/CN.4/1988/40 and Add.1	22	Report of the Secretary-General

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/41	9	Letter dated 12 January 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/42	22	Report by the Expert, Mr. Héctor Gros Espiell, on Guatemala, prepared in accordance with paragraph 11 of Commission resolution 1987/53
E/CN.4/1988/43 and Add.1-7	23	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 1987/15; report of the Secretary-General
E/CN.4/1988/44 and Add.1-7	23	Report of the Secretary-General prepared pursuant to paragraph 11 of Commission on Human Rights resolution 1987/15
E/CN.4/1988/45 and Add.1	23	Report submitted by Mr. Angelo Vidal d'Almeida Ribeiro, Special Rapporteur appointed in accordance with Commission on Human Rights resolution 1986/20
E/CN.4/1988/46 and Add.1-6	24	Note by the Secretary-General
E/CN.4/1988/47	6	Note by the Secretariat transmitting a statement by the Minister of Law and Order of South Africa of 23 September 1987
E/CN.4/1988/48	15	Information submitted by the United Nations University pursuant to Commission on Human Rights resolution 1986/9; note by the Secretary-General
E/CN.4/1988/49	21	Report of the Secretary-General

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/50	6	Letter dated 29 January 1988 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/51	4	Cable dated 11 January 1988 from the Arab Youth and Student Organizations in Democratic Yemen to the Centre for Human Rights
E/CN.4/1988/52	9	Letter dated 18 January 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/53	4	Note verbale dated 29 January 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting three communications from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva
E/CN.4/1988/54	3 and 12	Letter dated 2 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/55	4 and 9	Note verbale dated 8 February 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a communication from the Permanent Observer of the Palestine Liberation Organization to the United Nations Office at Geneva
E/CN.4/1988/56	9 and 12	Letter dated 9 February 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/57	6 and 9	Note verbale dated 10 February 1988 from the Permanent Delegation of the Organization of African Unity to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/58	9	Note verbale dated 12 February 1988 from the Permanent Mission of Pakistan to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1988/59	12	Letter dated 2 February 1988 from the Permanent Representative of Lebanon to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/60	12 and 22	Note by the Secretariat
E/CN.4/1988/61	10, 12 and 23	Letter dated 15 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights, transmitting a communication from the Comité Cubano pro Derechos Humanos
E/CN.4/1988/62	12	Letter dated 15 February 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/63	4	Letter dated 18 February 1988 from the Chargé d'affaires <u>a.i.</u> of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter from the Secretary of the People's Committee for the People's Foreign Liaison

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/64	9	Letter dated 18 February 1988 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/65	8 and 18	Note verbale dated 17 February 1988 from the Permanent Mission of Bulgaria to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting a joint statement by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics
E/CN.4/1988/66	15	Written statement submitted by the World Health Organization to the Commission on Human Rights on the question of persons detained on the grounds of mental ill-health or suffering from mental disorders
E/CN.4/1988/67	9 and 12	Note verbale dated 22 February 1988 from the Permanent Mission of Afghanistan to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1988/68	5	Letter dated 22 February 1988 from the Chargé d'affaires <u>a.i.</u> of the Permanent Mission of Chile to the United Nations addressed to the Secretary-General
E/CN.4/1988/69	4 and 12	Note verbale dated 23 February 1988 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting letters dated 22 February 1988 from the Permanent Observer of 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.4/1988/70	10 (a)	United Nations Voluntary Fund for Victims of Torture; note by the Secretary-General
E/CN.4/1988/71	12	Letter dated 24 February 1988 from the Permanent Representative of Democratic Kampuchea to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/72	6	Letter dated 26 February 1988 from the Permanent Representative of South Africa to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/73	10	Letter dated 25 February 1988 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/74	10 and 23	Letter dated 24 February 1988 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/75	23	Letter dated 24 February 1988 from the Permanent Representative of Singapore to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/76	21	Letter dated 26 February 1988 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights
E/CN.4/1988/77	12	Letter dated 26 February 1988 from the Permanent Representative of the United States of America to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

Documents issued in the general series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/78	4	Letter dated 2 March 1988 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights, transmitting a letter from the Secretary of the People's Committee for the People's Foreign Liaison
E/CN.4/1988/79	4	Note verbale dated 22 February 1988 from the Permanent Mission of Peru to the United Nations Office at Geneva addressed to the Centre for Human Rights
E/CN.4/1988/80	5	Letter dated 27 February 1988 from the Special Rapporteur on the question of human rights in Chile to the Chairman of the Commission on Human Rights
E/CN.4/1988/81	4	Note verbale dated 7 March 1988 from the Permanent Mission of Algeria to the United Nations Office at Geneva addressed to the Centre for Human Rights, transmitting the declaration of the Council of Ministers of Labour and Social Affairs of the Arab Gulf States concerning the situation in the occupied Arab territories
E/CN.4/1988/82	12	Letter dated 3 March 1988 from the Permanent Observer of the Republic of Korea to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/83	12	Letter dated 9 March 1988 from the Permanent Representative of Zimbabwe to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights
E/CN.4/1988/84	12	Letter dated 10 March 1988 from the Deputy Minister for Foreign Affairs of Cuba 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.4/1988/85 and Corr. 1	11	Report of the Commission on Human Rights to the Special Commission of the Economic and Social Council
E/CN.4/1988/86	12 (a)	Letter dated 11 March 1988 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 from the Minister for Foreign Affairs and Defence on behalf of the Turkish Cypriot community
E/CN.4/1988/87	12	Letter dated 11 March 1988 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.4/1988/SR.1-57 <u>a/</u> and E/CN.4/1988/ SR.1-57/Corrigendum		Summary records of the meetings of the forty-fourth session of the Commission and corrigendum thereto

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a/ The summary records of the 41st, 42nd and 43rd (closed) meetings and of the closed part of the 44th meeting were issued in restricted distribution.

Documents issued in the limited series b/

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.1	25	Note by the Secretary-General
E/CN.4/1988/L.2	4	Afghanistan, Algeria, Bahrain, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, China, Cyprus, Cuba, Democratic Yemen, Egypt, Gambia, German Democratic Republic, India, Iraq, Jordan, Kuwait, Libyan Arab Jamahiriya, Mauritania, Morocco, Mozambique, Nicaragua, Pakistan, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam, Yemen and Yugoslavia: draft resolution
E/CN.4/1988/L.3	4	Afghanistan, Algeria, Bahrain, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Democratic Yemen, Gambia, German Democratic Republic, Ghana, India, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Nicaragua, Pakistan, Qatar, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam, Yemen and Yugoslavia: draft resolution
E/CN.4/1988/L.4	9	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Democratic Yemen, Egypt, Gabon, Gambia, German Democratic Republic, India, Iraq, Kuwait, Libyan Arab Jamahiriya, Madagascar, Mongolia, Morocco, Mozambique, Nicaragua, Pakistan, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Syrian Arab Republic, Viet Nam, Yemen and Yugoslavia: draft resolution

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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.4/1988/L.5	9	Bahrain, Bangladesh, Costa Rica, Egypt, Gambia, Guatemala, Honduras, Jordan, Malaysia, Morocco, Nepal, Oman, Pakistan, Paraguay, Philippines, Qatar, Saudi Arabia, Senegal, Singapore, Somalia, Thailand, Tunisia, Turkey and United Arab Emirates: draft resolution
E/CN.4/1988/L.6	9	Afghanistan, Algeria, Angola, Argentina, Bolivia, Botswana, Burundi, Cuba, Cyprus, Democratic Yemen, Ethiopia, Ghana, India, Iran (Islamic Republic of), Lesotho, Libyan Arab Jamahiriya, Madagascar, Mexico, Mozambique, Nicaragua, Nigeria, Panama, Rwanda, Sao Tome and Principe, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Yugoslavia and Zimbabwe: draft resolution
E/CN.4/1988/L.7	19	Note by the Secretary-General
E/CN.4/1988/L.8	9	Bangladesh, Belgium, Cameroon, Canada, Costa Rica, Gambia, Germany, Federal Republic of, Honduras, Italy, Japan, Liberia, Luxembourg, Malaysia, Nepal, Netherlands, Norway, Oman, Pakistan, Philippines, Singapore, Somalia, Thailand, Togo, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.9	9	Afghanistan, Algeria, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, Gabon, German Democratic Republic, Ghana, India, Mozambique, Nicaragua, Nigeria, Peru, Philippines, Togo, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, United Republic of Tanzania and Viet Nam: draft resolution
E/CN.4/1988/L.10 and Add.1-21	26	Draft report of the Commission on Human Rights on its forty-fourth session

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.11 and Add.1-14	26	Draft report of the Commission on Human Rights on its forty-fourth session
E/CN.4/1988/L.12	9	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Democratic Yemen, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, India, Libyan Arab Jamahiriya, Madagascar, Mongolia, Mozambique, Nicaragua, Nigeria, Pakistan, Rwanda, Sao Tome and Principe, Senegal, Somalia, Syrian Arab Republic, Togo, United Republic of Tanzania, Viet Nam, Yemen and Yugoslavia: draft resolution
E/CN.4/1988/L.13	8	United States of America: draft resolution
E/CN.4/1988/L.14	8	German Democratic Republic: draft resolution
E/CN.4/1988/L.15	9	Administrative and programme budget implications of draft resolution E/CN.4/1988/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.4/1988/L.16	11	Bulgaria, Finland, India, Iraq, Netherlands, Nigeria, Norway, Sri Lanka, Togo and Union of Soviet Socialist Republics: draft resolution
E/CN.4/1988/L.17	16	Afghanistan, Algeria, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Egypt, Ethiopia, Gambia, German Democratic Republic, Ghana, India, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Mongolia, Mozambique, Nicaragua, Nigeria, Pakistan, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Yugoslavia and Zimbabwe: draft resolution

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.18	17 (b)	Afghanistan, Algeria, Angola, Côte d'Ivoire, Cuba, Egypt, Ethiopia, Gabon, Ghana, Iraq, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mauritania, Mozambique, Nicaragua, Nigeria, Rwanda, Senegal, Somalia, Syrian Arab Republic, Togo, Tunisia, United Republic of Tanzania and Zimbabwe: draft resolution
E/CN.4/1988/L.19	6	Algeria, Angola, China, Cuba, Cyprus, Egypt, Ethiopia, Gabon, Gambia, India, Kenya, Libyan Arab Jamahiriya, Mauritania, Mozambique, Nicaragua, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan, Syrian Arab Republic, Togo, United Republic of Tanzania and Zimbabwe: draft resolution
E/CN.4/1988/L.20	6	Afghanistan, Algeria, Angola, Cameroon, Cuba, Cyprus, Egypt, Ethiopia, Gambia, Ghana, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mauritania, Nicaragua, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sri Lanka, Syrian Arab Republic, Togo and Zimbabwe: draft resolution
E/CN.4/1988/L.21	6	Afghanistan, Algeria, Angola, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Côte d'Ivoire, Cuba, Cyprus, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Iran (Islamic Republic of), Ireland, Italy, Kenya, Libyan Arab Jamahiriya, Mauritania, Morocco, Mozambique, Netherlands, Nicaragua, Nigeria, Norway, Philippines, Rwanda, Sao Tome and Principe, Senegal, Somalia, Sudan, Sweden, Syrian Arab Republic, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, United Republic of Tanzania and Zimbabwe: draft resolution

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.22	7	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Egypt, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mauritania, Mongolia, Nicaragua, Nigeria, Pakistan, Rwanda, Somalia, Sudan, Syrian Arab Republic, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Viet Nam and Zimbabwe: draft resolution
E/CN.4/1988/L.23	7	Afghanistan, Algeria, Angola, Bangladesh, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Egypt, Ethiopia, Gambia, German Democratic Republic, India, Iraq, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Mauritania, Mongolia, Nicaragua, Nigeria, Pakistan, Rwanda, Somalia, Sudan, Syrian Arab Republic, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Viet Nam and Zimbabwe: draft resolution
E/CN.4/1988/L.24	12	Argentina, Brazil, Colombia, Costa Rica, Greece, Mexico, Netherlands, Norway, Peru, Spain and Venezuela: draft resolution
E/CN.4/1988/L.25	18	Argentina, Germany, Federal Republic of, and Netherlands: draft resolution
E/CN.4/1988/L.26	12	United States of America: draft resolution
E/CN.4/1988/L.26/Rev.1	12	United States of America: revised draft resolution
E/CN.4/1988/L.27	8	Haiti and Philippines: draft resolution



Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.28	18	Argentina, Austria, Bvelorussian Soviet Socialist Republic, Canada, Costa Rica, Cyprus, Denmark, Finland, German Democratic Republic, Hungary, Italy, Netherlands, Nicaragua, Norway, Peru, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.29	18	Bvelorussian Soviet Socialist Republic and Poland: draft resolution
E/CN.4/1988/L.30	10 (b) and 18	Argentina, Austria, Canada, Costa Rica, Mexico, Netherlands, Philippines and Togo: draft resolution
E/CN.4/1988/L.31	6	Draft decision proposed by the Chairman
E/CN.4/1988/L.32	8 (c)	Algeria, Bangladesh, China, Colombia, Costa Rica, Cuba, Cyprus, Ethiopia, German Democratic Republic, India, Nicaragua, Peru, Philippines, Poland, Romania, Syrian Arab Republic and Yugoslavia: draft resolution
E/CN.4/1988/L.33	8	Argentina, Bulgaria, Bvelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Hungary, India, Mongolia and Nicaragua: draft resolution
E/CN.4/1988/L.34	8	Argentina, Belgium, Bulgaria, Costa Rica, Cyprus, Finland, France, Gambia, German Democratic Republic, Hungary, India, Luxembourg, Netherlands, Nicaragua, Norway, Peru, Philippines, Portugal, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.35	12	Cuba and Syrian Arab Republic: draft resolution

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.36	12	Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Democratic Yemen, India, Iraq, Jordan, Kuwait, Lebanon, Pakistan, Qatar, Syrian Arab Republic, Tunisia, Ukrainian Soviet Socialist Republic and Yemen: draft resolution
E/CN.4/1988/L.37	7	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.22: 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.4/1988/L.38	8	Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, German Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Nicaragua, Panama, Poland, Romania, Sri Lanka, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Viet Nam: draft resolution
E/CN.4/1988/L.39	8	Bulgaria and Ukrainian Soviet Socialist Republic: draft resolution
E/CN.4/1988/L.40	22	Argentina, Bolivia, Brazil, Colombia, Costa Rica, Honduras, Japan, Mexico, Peru, Uruguay and Venezuela: draft resolution
E/CN.4/1988/L.41	20	Yugoslavia: draft resolution
E/CN.4/1988/L.42	10 (a)	Argentina, Austria, Belgium, Brazil, Canada, Costa Rica, Cyprus, Finland, France, Gambia, Greece, Ireland, Italy, Luxembourg, Netherlands, Nicaragua, Norway, Peru, Philippines, Portugal, Senegal, Spain, Switzerland 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.4/1988/L.43	11	China, Philippines and Sri Lanka: draft resolution
E/CN.4/1988/L.44	10	Argentina, Austria, Canada, Colombia, Costa Rica, Cyprus, Finland, France, Gambia, Germany, Federal Republic of, Italy, Netherlands, New Zealand, Norway, Philippines, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.45	8	Algeria, Argentina, Bangladesh, Brazil, China, Colombia, Cuba, Ethiopia, India, Iraq, Mexico, Nicaragua, Romania, Sri Lanka and Yugoslavia: draft resolution
E/CN.4/1988/L.46	12	Australia, Belgium, Canada, Costa Rica, Denmark, France, Germany, Federal Republic of, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.47	5	Algeria, Cuba, Denmark, France, Italy, Mexico, Norway, Portugal, Spain and Yugoslavia: draft resolution
E/CN.4/1988/L.47/Rev.1	5	Algeria, Australia, Bolivia, Cuba, Denmark, France, Greece, Italy, Luxembourg, Mexico, Netherlands, Norway, Portugal, Spain and Yugoslavia: revised draft resolution
E/CN.4/1988/L.48	10 (c)	Argentina, Austria, Belgium, Canada, Colombia, Costa Rica, France, Gambia, Germany, Federal Republic of, Greece, Guatemala, Ireland, Italy, Japan, Luxembourg, Netherlands, Norway, Peru, Philippines, Portugal, Senegal, Spain, Switzerland, Togo and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.49	19	Belgium, Costa Rica, France, Luxembourg, Netherlands, Nicaragua, Norway, Philippines, Togo 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.4/1988/L.50	22	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.40: 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.4/1988/L.51	8 (a)	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.45: 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.4/1988/L.52	19	Austria, Belgium, Canada, Germany, Federal Republic of, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.53	10 (a)	Argentina, Austria, Belgium, Brazil, Canada, Costa Rica, Denmark, Finland, France, Germany, Federal Republic of, Greece, Italy, Japan, Kenya, Netherlands, Nicaragua, Norway, Senegal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1988/L.54	10 (b)	Argentina, Austria, Belgium, Brazil, Canada, Costa Rica, Denmark, Finland, France, Gambia, Germany, Federal Republic of, Greece, Italy, Luxembourg, Mexico, Netherlands, Nicaragua, Norway, Portugal, Senegal, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.55	10	Belgium, Bulgaria, Canada, Costa Rica, Gambia, Germany, Federal Republic of, India, Japan, Luxembourg, Netherlands, Peru, Spain, Sri Lanka 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.4/1988/L.56	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.4/1988/L.57	5	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.47: 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.4/1988/L.58	19	Argentina, Canada, China, Cuba, Denmark, Finland, German Democratic Republic, Honduras, Netherlands, New Zealand, Nicaragua, Norway, Peru, Sweden and United Republic of Tanzania: draft resolution
E/CN.4/1988/L.59	22	Canada, France, Germany, Federal Republic of, Italy, Netherlands and Senegal: draft resolution
E/CN.4/1988/L.60	19	Argentina, Belgium, France, Germany, Federal Republic of, Netherlands, Norway, Peru, Senegal, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1988/L.61	10	Belgium, Canada, Costa Rica, France, Gambia, Luxembourg, Nicaragua, Portugal, Senegal, Spain and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.62	19	Belgium, Canada, Luxembourg, Norway and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.62/Rev.1	19	Belgium, Canada, Norway and United Kingdom of Great Britain and Northern Ireland: revised draft resolution

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.63	23	Argentina, Austria, Belgium, Canada, Costa Rica, Finland, France, Gambia, Germany, Federal Republic of, Ireland, Luxembourg, Netherlands, Norway, Philippines, Portugal, Senegal, Switzerland and United States of America: draft resolution
E/CN.4/1988/L.64	10	Argentina, Austria, Belgium, Canada, Cyprus, Gambia, Germany, Federal Republic of, India, Italy, Luxembourg, Nicaragua, Philippines, Portugal, Togo and Yugoslavia: draft resolution
E/CN.4/1988/L.65	19	Argentina, Belgium, Costa Rica, France, Germany, Federal Republic of, Ireland, Jordan, Luxembourg, Netherlands, Peru, Senegal, Spain and United States of America: draft resolution
E/CN.4/1988/L.66	10	Costa Rica, France, Germany, Federal Republic of, Lebanon, Nicaragua, Philippines, Portugal, Togo and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.67	12	Costa Rica, Cyprus, Belgium, Denmark, Finland, France, Gambia, Greece, Italy, Netherlands, Norway, Senegal, Spain, Sweden, Switzerland, Togo and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.68	10	Canada, Norway and Spain: draft resolution
E/CN.4/1988/L.69	12	Australia, Belgium, Canada, Denmark, Ireland, Luxembourg, Netherlands, Norway, Portugal and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.70	15	Japan and Yugoslavia: draft resolution

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.71	14	Algeria, Argentina, Bolivia, Colombia, Cuba, Egypt, Greece, India, Italy, Mexico, Morocco, Nicaragua, Philippines, Portugal, Senegal, Spain, Tunisia, Turkey and Yugoslavia: draft resolution
E/CN.4/1988/L.72	21	Afghanistan, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, German Democratic Republic, Hungary, Libyan Arab Jamahiriya, Mongolia, Mozambique, Nicaragua, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Viet Nam and Yugoslavia: draft resolution
E/CN.4/1988/L.73	15	Afghanistan, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Mozambique, Nicaragua, Poland, Romania, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics and Viet Nam: draft resolution
E/CN.4/1988/L.74	12	Union of Soviet Socialist Republics: draft resolution
E/CN.4/1988/L.75	15	Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, German Democratic Republic, Poland, Romania and Ukrainian Soviet Socialist Republic: draft resolution
E/CN.4/1988/L.76	12	Canada, Costa Rica, Germany, Federal Republic of, Ireland, Japan, Jordan, Pakistan and Togo: draft resolution
E/CN.4/1988/L.77	12	Argentina, Australia, Canada, Netherlands, Norway, Philippines, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution
E/CN.4/1988/L.78	3	Norway: draft decision

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.79	11	Argentina, Bolivia, Canada, Colombia, Costa Rica, Cyprus, Egypt, Finland, France, Gambia, India, Ireland, Jordan, Mexico, Morocco, Netherlands, Norway, Peru, Philippines, Senegal, Spain, Sweden, Switzerland, Togo, United Kingdom of Great Britain and Northern Ireland and Yugoslavia: draft resolution
E/CN.4/1988/L.80	22	Argentina, Costa Rica and Peru: draft resolution
E/CN.4/1988/L.81	22	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.59: 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.4/1988/L.82	10 (c)	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.48: 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.4/1988/L.83	23	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.63: 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.4/1988/L.84	22	Austria, Canada, Colombia, Finland, Gambia, Germany, Federal Republic of, Italy, Netherlands, Norway, Peru, Senegal 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.4/1988/L.85	22	Argentina, Austria, Belgium, Canada, Colombia, Costa Rica, Cyprus, Finland, Gambia, Germany, Federal Republic of, Italy, Netherlands, Nigeria, Norway, Peru, Senegal, Sweden, Ukrainian Soviet Socialist Republic and United Kingdom of Great Britain and Northern Ireland: draft resolution
E/CN.4/1988/L.86	13	Afghanistan, Angola, Australia, Austria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic Yemen, Finland, France, German Democratic Republic, Ghana, Greece, Hungary, India, Italy, Lebanon, Luxembourg, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Romania, Somalia, Sweden, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Uruguay, Venezuela, Yemen and Zimbabwe: draft resolution
E/CN.4/1988/L.87	12	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.77: 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.4/1988/L.88	19	United States of America: draft resolution
E/CN.4/1988/L.89	8	Federal Republic of Germany: amendments to draft resolution XI recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission on Human Rights (E/CN.4/1988/37, chap. I, sect. A)

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.90	15	Belgium, Colombia, Costa Rica, Germany, Federal Republic of, Italy, Luxembourg, Norway, Philippines, United Kingdom of Great Britain and Northern Ireland and United States of America: amendments to draft resolution X recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission on Human Rights (E/CN.4/1988/37, chap. I, sect. A)
E/CN.4/1988/L.91	13	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.86: 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.4/1988/L.92	12	Administrative and programme budget implications of draft resolutions E/CN.4/1988/L.46 and E/CN.4/1988/L.74: 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.4/1988/L.93	12	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.69: 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.4/1988/L.94	12	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.67: 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

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.95	10 (a)	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.42: 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.4/1988/L.96	22	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.80: 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.4/1988/L.97	3	Administrative and programme budget implications of draft decision E/CN.4/1988/L.78: 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.4/1988/L.98	23	China, Pakistan and Sri Lanka: amendments to draft resolution E/CN.4/1988/L.63
E/CN.4/1988/L.99	12	Administrative and programme budget implications of draft resolution E/CN.4/1988/L.24: 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.4/1988/L.100	12 (b)	Administrative and programme budget implications of Commission decision 1988/103: 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

Documents issued in the limited series b/  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/L.101	19	Draft resolution submitted by the Chairman
E/CN.4/1988/L.102	19	Draft resolution VII recommended by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for adoption by the Commission on Human Rights (E/CN.4/1988/37, chap. I, sect. A), as amended on the proposal of the representative of Spain
E/CN.4/1988/L.103	12	Argentina, Colombia, Mexico and Peru: draft decision
E/CN.4/1988/L.104	12	Administrative and programme budget implications of draft decision E/CN.4/1988/L.103: 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

Documents issued in the non-governmental organizations series

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/1	4	Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/2	8	Written statement submitted by Habitat International Coalition, a non-governmental organization on the Roster
E/CN.4/1988/NGO/3	4	Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/4	10	Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/5	8	Written statement submitted by the International Federation of Rural Adult Catholic Movements, a non-governmental organization on the Roster
E/CN.4/1988/NGO/6	12	Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/7	5	<u>Idem</u>
E/CN.4/1988/NGO/8	4	<u>Idem</u>
E/CN.4/1988/NGO/9	5	Written statement submitted by the Defense for Children International Movement, a non-governmental organization on the Roster
E/CN.4/1988/NGO/10	9	Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/11	12	Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I)

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/12	8	Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/13	12	Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/14	15	<u>Idem</u>
E/CN.4/1988/NGO/15	8	<u>Idem</u>
E/CN.4/1988/NGO/16	6	Written statement submitted by the World Federation of Trade Unions, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/17	9	Written statement submitted by Christian Democratic International, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/18	4	Written statement submitted by the Parliamentary Association for Euro-Arab Co-operation, a non-governmental organization on the Roster
E/CN.4/1988/NGO/19	9	Written statement submitted by the International Association of Democratic Lawyers, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/20	9	<u>Idem</u>
E/CN.4/1988/NGO/21	4	<u>Idem</u>
E/CN.4/1988/NGO/22	12	<u>Idem</u>
E/CN.4/1988/NGO/23	9	<u>Idem</u>

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/24	21	Written statement submitted by the Co-ordinating Board of Jewish Organizations, the International Council of Jewish Women, the Women's International Zionist Organization and the World Jewish Congress, non-governmental organizations in consultative status (category II) and the World Union for Progressive Judaism, a non-governmental organization on the Roster
E/CN.4/1988/NGO/25	12	Written statement submitted by the International Association of Democratic Lawyers, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/26	12	Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/27	12	<u>Idem</u>
E/CN.4/1988/NGO/28	8	Written statement submitted by the International Commission of Health Professionals for Health and Human Rights, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/29	5	Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/30	4	Written statement submitted by the World Peace Council, a non-governmental organization on the Roster

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/31	13	Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/32	6	<u>Idem</u>
E/CN.4/1988/NGO/33	9	<u>Idem</u>
E/CN.4/1988/NGO/34	9	Written statement submitted by the Procedural Aspects of International Law Institute, a non-governmental organization on the Roster
E/CN.4/1988/NGO/35	6	Written statement submitted by the World Peace Council, a non-governmental organization on the Roster
E/CN.4/1988/NGO/36	11	Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/37	18	<u>Idem</u>
E/CN.4/1988/NGO/38	19	<u>Idem</u>
E/CN.4/1988/NGO/39	9	Written statement submitted by the World Federation of United Nations Associations, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/40	12	Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II)



Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda</u> <u>item</u>
E/CN.4/1988/NGO/41	11 and 19 Written statement submitted by the International Alliance of Women - Equal Rights, Equal Responsibilities, the International Council of Women, Soroptimist International, the World Confederation of Labour and Zonta International, non-governmental organizations in consultative status (category I); the Arab Lawyers Union, Associated Country Women of the World, the International Association of Democratic Lawyers, the International Council of Jewish Women, the International Federation of Human Rights, the International Federation of University Women, the International Federation of Women In Legal Careers, the International Federation of Women Lawyers, the International Movement for Fraternal Union among Races and Peoples, International Social Service, Pax Romana, Socialist International Women, the World Association of Girl Guides and Girl Scouts, the World Confederation of Organizations of the Teaching Profession, the World Federation of Methodist Women, the World Union of Catholic Women's Organizations, the World University Service and the World Young Women's Christian Association, non-governmental organizations in consultative status (category II); and the International League for the Rights and Liberation of Peoples and the International Press Institute, non-governmental organizations on the Roster
E/CN.4/1988/NGO/42	6 Written statement submitted by Rädde Barnen International, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/43	20 Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II)

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda</u> <u>item</u>	
E/CN.4/1988/NGO/44	5	Written statement submitted by the World Peace Council, a non-governmental organization on the Roster
E/CN.4/1988/NGO/45	4	Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/46	19	Written statement submitted by the International Youth and Student Movement for the United Nations, the World Federation of Democratic Youth and the Women's International Democratic Federation, non-governmental organizations in consultative status (category I); the Afro-Asian People's Solidarity Organization, the Anti-Slavery Society for the Protection of Human Rights, the Christian Peace Conference, the Commission of the Churches on International Affairs of the World Council of Churches, the Four Directions Council, Human Rights Advocates, Inc., the Indigenous World Association, the International Indian Treaty Council, the Women's International League for Peace and Freedom and the World Council of Indigenous Peoples, non-governmental organizations in consultative status (category II); and the Indian Council of South America, the International League for the Rights and Liberation of Peoples and the World Peace Council, non-governmental organizations on the Roster

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/47	8 and 15	Written statement submitted by the International Alliance of Women - Equal Rights, Equal Responsibilities and Zonta International, non-governmental organizations in consultative status (category I); the International Council of Jewish Women, the International Federation of Women Lawyers, the International Movement for Fraternal Union among Races and Peoples, the Women's International League for Peace and Freedom and the World Federation of Methodist Women, non-governmental organizations in consultative status (category II); and the Medical Women's International Association, a non-governmental organization on the Roster
E/CN.4/1988/NGO/48	12	Written statement submitted by the Lutheran World Federation, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/49	8	Written statement submitted by the International Union of Students, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/50	4, 9, 12 and 20	Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/51	10	Written statement submitted by the International Confederation of Free Trade Unions, the International Youth and Student Movement for the United Nations and Zonta International, non-governmental organizations in consultative status (category I); the Arab Lawyers Union, the Indigenous World Association, the International Association of Democratic Lawyers, the International Federation of Human Rights, the International Federation of Women in Legal Careers, the International Federation Terre des Hommes, the International Fellowship of Reconciliation,

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
		the International Indian Treaty Council, the International Organization for the Elimination of All Forms of Racial Discrimination, Pax Christi, the Union of Arab Jurists, the Women's International League for Peace and Freedom, the World Student Christian Federation and the World University Service, non-governmental organizations in consultative status (category II); and the Indian Council of South America, the International Federation of Rural Adult Catholic Movements, the International League for the Rights and Liberation of Peoples and the Parliamentary Association for Euro-Arab Co-operation, non-governmental organizations on the Roster
E/CN.4/1988/NGO/52	13	Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/53	22	Written statement submitted by the Four Directions Council, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/54	13	Written statement submitted by the World Young Women's Christian Association, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/55	19	Written statement submitted by the Anti-Slavery Society for the Protection of Human Rights and Pax Christi, non-governmental organizations in consultative status (category II)
E/CN.4/1988/NGO/56	10	Written statement submitted by Disabled People's International, a non-governmental organization in consultative status (category II)

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/57	12	Written statement submitted by the International Catholic Child Bureau, a non-governmental organization in consultative status (category II) and the Defense for Children International Movement, a non-governmental organization on the Roster
E/CN.4/1988/NGO/58	12	Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/59	12	Written statement submitted by the Women's International Democratic Federation, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/60	12 (a)	Written statement submitted by the World Peace Council, a non-governmental organization on the Roster
E/CN.4/1988/NGO/61	5	Written statement submitted by Human Rights Advocates, Inc., a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/62	12	Written statement submitted by the World Peace Council, a non-governmental organization on the Roster
E/CN.4/1988/NGO/63	12	Written statement submitted by the World Muslim Congress, a non-governmental organization in consultative status (category I)
E/CN.4/1988/NGO/64	13	Written statement submitted by the International Movement A.T.D. Fourth World, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/65	12	Written statement submitted by the International Movement for Fraternal Union among Races and Peoples, a non-governmental organization in consultative status (category II)

Documents issued in the non-governmental organizations series  
(continued)

<u>Symbol</u>	<u>Agenda item</u>	
E/CN.4/1988/NGO/66	8	Written statement submitted by the World Peace Council, a non-governmental organization on the Roster
E/CN.4/1988/NGO/67	8	<u>Idem</u>
E/CN.4/1988/NGO/68	8	<u>Idem</u>
E/CN.4/1988/NGO/69	13	Written statement submitted by Jaycees International, a non-governmental organization in consultative status (category II)
E/CN.4/1988/NGO/70	10	<u>Idem</u>
E/CN.4/1988/NGO/71	16	<u>Idem</u>
E/CN.4/1988/NGO/72	20	Written statement submitted by the World Union for Progressive Judaism, a non-governmental organization on the Roster
E/CN.4/1988/NGO/73	20	Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)