ARTICLE 55

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ARTICLE 55

TEXT OF ARTICLE 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

(a) Higher standards of living, full employment and conditions of economic and social progress and development;

(b) Solutions of international economic, social, health and related problems; and international cultural and educational cooperation; and

(c) Universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

INTRODUCTORY NOTE

1. The presentation and organization of the material in this study follows the pattern established in the previous studies of Article 55 of the *Repertory* and its *Supplements Nos. 1, 2, 3* and *4*, with the exception of the analytical summary for section I. As in the previous supplements, the material is divided into two parts, dealing with economic and social matters, and with human rights. Each part is divided into a general survey and an analytical summary of practice. The general survey gives a broad view of the activities of the United Nations in those fields consonant with the words "shall promote" in Article 55. With regard to the general survey for part I, the reader will note that the topic headings in this *Supplement* have been revised. Contrary to past Supplements, the analytical summary for Part I provides an understanding of the functional work of the General Assembly, the Economic and Social Council and the Secretary-General on those agenda items relevant to promoting the goals of Article 55 (a) and (b). An account of the ways and means used by the United Nations to achieve the purposes of Article 55 through the exercise of specified functions and powers of the General Assembly and the Economic and Social Council is contained in this *Supplement* in the studies on the Articles which set forth these functions and powers.

2. As in the previous studies, the question of the scope given to the objectives of the United Nations in the economic, social and human rights fields as set forth in subparagraphs (a), (b) and (c) of Article 55, in the preamble to the Charter and in certain other Articles,[1] is dealt with in this *Supplement* solely in the study of a single Article, namely, Article 55.

[1]See *Repertory*, under Article 55, para. 4, and related table.

I. ECONOMIC AND SOCIAL FIELDS

A. General Survey

3. A brief survey of the promotion by the General Assembly and the Economic and Social Council of the economic and social objectives of Article 55 during the period covered by the present *Supplement* is given in this section of the study of Article 55. The major decisions of these two organs of the United Nations pertaining to international action in the economic and social fields are briefly described, but, as in the case of the previous studies of this Article, this study does not include an account of the implementation of those decisions; nor does it include the description of the manner in which the Secretary-General assisted the various organs of the United Nations in the performance of their functions or an account of organizational problems and the coordinating activities of the United Nations.

4. As in the past, reference to Article 55 or paraphrases of the Article are contained in several of the decisions described in the present *Supplement*.[2] References to Article 55 or paraphrases of the Article are contained in several of

[2]See,*e.g.*, G A resolutions 2626(XXV), 2658(XXV), 2686(XXV), 2691(XXV), 2804(XXVI), 2770(XXVI), 2998(XXVII), 3018(XXVII), 3039(XXVII), 3012(XXVII), 3130(XXVIII), 3201(S-VI), 3384(XXX), 3447(XXX), 3503(XXX), 3508(XXX), 31/117(XXXI), 31/176(XXXI), 31/37(XXXI), 32/156(XXXII), 32/197(XXXII), and E S C resolutions 1581(L), 1585(L), 1627(LI), 1643(LI), 1679(LII), 1721(LIII), 1768(LIV), 1805(LV), 1849(LVI), 1895(LVII), 1921(LVIII) and 1968(LIX).

the decisions concerning science and technology, in order to recognize that their application "...to development, particularly in the developing countries, is vital to the attainment of the objectives enunciated in Article 55 of the Charter of the United Nations."[3]

5. The references to this Article or paraphrases of it are also mentioned in connection with the International Development Strategy for the Second United Nations Development Decade[4] and the Declaration on the Establishment of a New International Economic Order.[5]

1. INTERNATIONAL DEVELOPMENT STRATEGY FOR THE SECOND UNITED NATIONS[6]

Development Decade

a. *Decisions with direct reference to the International Development Strategy for the Second United Nations Development Decade*

6. The General Assembly, at its twenty-fifth session, adopted the International Development Strategy for the Second United Nations Development Decade,[7] proclaiming that:

> "Governments dedicate themselves anew to the fundamental objectives enshrined in the Charter of the United Nations twenty-five years ago to create conditions of stability and well-being and to ensure a minimum standard of living consistent with human dignity through economic and social progress and development."[8]

7. A number of resolutions both by the General Assembly and the Economic and Social Council, addressing topics from various fields, make direct reference to the International Development Strategy,[9] often recalling either specific paragraphs of the Development Strategy or the Strategy as a whole. Throughout the period under review, a number of Assembly decisions underscored the importance of the aims, objectives and policies recommended in the Strategy.[10] Several decisions requested the various bodies of the United Nations system to conduct their efforts with due regard to the measures of the Strategy,[11] or to provide input to the process of review and appraisal of the Strategy.[12] The Assembly declared that "actions by States aimed at coercing other States engaged in the change of their internal structure or in the exercise of their sovereign rights over their natural resources ... contradict the targets, objectives and policy measures of the International Development Strategy."[13]

b. *Decisions with direct reference to the Charter of Economic Rights and Duties of States and the new international economic order*

8. At its sixth special session, in 1974, the General Assembly adopted the Declaration on the Establishment of a New International Economic Order[14] and the Programme of Action on the Establishment of a New International Economic Order.[15] While not explicitly invoking the language of Article 55, the Declaration refers to the purposes of the Article:

> "International cooperation for development is the shared goal and common duty of all countries ... [T]he political, economic and social well-being of present and future generations depends more than ever on cooperation between all the members of the international community on the basis of sovereign equality and the removal of the disequilibrium that exists between them."[16]

9. During the latter part of the period under review, a number of resolutions of the General Assembly and the Economic and Social Committee made reference to the Declaration and the Programme of Action on the Establishment of a New International Economic Order as well as the Charter of Economic Rights and Duties of States.[17] These resolutions referred to different subjects such as economic and technical cooperation,[18] industrial development,[19] environment and natural resources,[20] the least developed countries,[21] population,[22] the international economic and monetary situation,[23] transnational corporations,[24] trade,[25] public administration and transfer of technology,[26] women,[27] science and technology,[28] and regional cooperation.[29] The references in several of these resolutions recall specific paragraphs of one or all of the above instruments, while other references serve to recall the principles and objectives of the instruments generally.

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[3] E S C resolution 1905 (LVII).
[4] G A resolution 2626 (XXV).
[5] G A resolution 3201(S-VI).
[6] See *Repertory Supplement No. 3*, vol. II, under Article 55, paras. 6-10.
[7] G A resolution 2626 (XXV).
[8] Ibid., A, para. 1.
[9] See, e.g., G A resolutions 2638 (XXV), 2639 (XXV), 2658 (XXV), 2971 (XXVII), 2975 (XXVII), 3038 (XXVII), 3083 (XXVIII), 3177 (XXVIII), 3306 (XXIX), 3489 (XXX), 3490 (XXX), 31/158, 31/176. E S C resolutions 1492 (XLVIII), 1575 (L), 1581 (L), 1620 (LI), 1630 (LI), 1671 (LII), 1672 (LII) 1707 (LIII), 1717 (LIII), 1737 (LIV), 1739 (LIV), 1746 (LIV), 1747 (LIV), 1752 (LIV), 1754 (LIV), 1819 (LV), 1824 (LV), 2009 (LXI), 2040 (LXI).
[10] See e.g., G A resolutions 2952 (XXVII), 2953 (XXVII), 2975 (XXVII), 3409 (XXX), 3489 (XXX), 3503 (XXX), 31/174, and 31/78.
[11] G A resolutions 3087 (XXVIII), 2821 (XXVI)
[12] See, e.g., G A resolutions 2687 (XXV) 3178 (XXVIII); E S C resolution 1715 (LIII).
[13] See, e.g., G A resolutions 3016 (XXVII) and 3171 (XXVIII).
[14] G A resolution 3201(S-VI).
[15] G A resolution 3202(S-VI).
[16] G A resolution 3201(S-VI), para. 3.
[17] See, for example, G A resolutions 3244(XXIX), 3345(XXIX), 3403(XXX), 3486(XXX), 3508(XXX), 31/107(XXXI), 31/178(XXXI), 31/182(XXXI), 31/37(XXXI), 32/174(XXXII), 32/197(XXXII), 33/198(XXXIII), 33/202(XXXIII) and E S C resolutions 1911(LVII), 1910(LVII), 1971(LIX), 2009(LXI), 2027(LXI), 2034(LXI), 2069(LXII), 1978/64 and 1978/72.
[18] G A resolutions 3251(XXIX), 3405(XXX), 3442(XXX), and E S C resolution 1980(LIX).
[19] G A resolutions 3306(XXIX) and 3307(XXIX).
[20] G A resolutions 3326(XXIX), 3336(XXIX), 3437(XXX) and 32/168(XXXII).
[21] G A resolution 3338(XXIX).
[22] G A resolution 3344(XXIX).
[23] G A resolutions 3347(XXIX), 31/158(XXXI) and E S C resolution 1968(LIX).
[24] G A resolution 3514(XXX) and E S C resolutions 1908(LVII) and 1913(LVII).
[25] G A resolutions 3459(XXX) and 31/159(XXXI).
[26] G A resolutions 3488(XXX), 3503(XXX) and E S C resolution 1977(LIX).
[27] G A resolutions 3505(XXX), 3519(XXX), 3520(XXX), 3523(XXX) and 31/175(XXXI).
[28] E S C resolutions 2028(LXI) and 2031(LXI).
[29] E S C resolutions 1896(LVII) and 1952(LIX).

c. *Standards of living—development targets*

10. As in the past, both the Economic and Social Council and the General Assembly continued to take decisions relating to the promotion of higher standards of living, and indicated in a number of resolutions specific economic and social problems which hampered its achievement.[30] The International Development Strategy set out "the ultimate purpose of development" as the provision of greater opportunities for all people to achieve higher living standards through "qualitative and structural changes in society" in conjunction with policies for rapid economic growth.[31] Recalling the pledge under the Charter of the United Nations for the promotion by Member States of social progress and better standards of living, the Economic and Social Council urged Governments to accelerate development by, inter alia, giving high priority to the attainment of adequate levels of living for all, especially through measures to bring about more equitable distribution of income and to improve the effectiveness of social services.[32]

11. At its fiftieth session, the Economic and Social Council requested the Secretary-General to forward to States Members of the United Nations or members of the specialized agencies a questionnaire on their experience in achieving far-reaching social and economic changes for purposes of social progress, in particular for the establishment of an adequate standard of living.[33] At its sixth special session, the General Assembly urged the Member States to implement the Declaration on the Establishment of a New International Economic Order as "one of the principal guarantees for the creation of better conditions for all peoples to reach a life worthy of human dignity."[34]

12. With regard to targets and objectives, Governments, under the International Development Strategy, would subscribe to the achievement of an average annual rate of growth in the gross national product of all developing countries of at least 6 per cent, with an approximate 3.5 per cent average annual rate of growth of gross product per capita in developing countries as a whole.[35] Developing countries, through policies implemented in an individual-country and global context, would also "take specific steps to augment production and improve productivity" with a view towards increasing standards of living.[36] With regard to transfers of financial resources to developing countries, developed countries would endeavour to reach the target of 1 per cent of their gross national product by 1972, with an increase in official development assistance to developing countries to reach a minimum net amount of 0.7 per cent of its gross national product at market prices by 1975.[37] Developing countries would continue to increase their expenditure on research and development and to attain, by the end of the Decade, a minimum average level equivalent to 0.5 per cent of their gross national product by developing countries.[38]

[30]G A resolutions 2807 (XXVI), 2848 (XXVI), 2849 (XXVI).
[31]G A resolution 2626 (XXV), para. 18. See also G A resolution 2771 (XXVI).
[32]E S C resolution 1581, B (L).
[33]E S C resolution 1581, A (L). See also E S C resolution 1746 (LIV) and G A resolution 31/38.
[34]G A resolution 3201, para. 6 (S-VI).
[35]G A resolution 2626 (XXV), paras. 13 and 14.
[36]Ibid., C(9), para. 73.
[37]Ibid., C(3), paras. 42-43.
[38]Ibid., C, para. 60.

13. The General Assembly and the Economic and Social Council articulated objectives in a number of other areas of economic and social development, particularly in the programme of concerted international action for the advancement of women,[39] in the context of land reform policies,[40] in articulating the terms of reference for the Committee on Science and Technology for Development[41] and in reaffirming the targets of the Lima Declaration on Industrial Development and Cooperation adopted at the Second General Conference of the United Nations Industrial Development Organization.[42]

14. At its twenty-sixth session, the General Assembly, on the recommendation of the Economic and Social Council,[43] proclaimed the Declaration on the Rights of Mentally Retarded Persons,[44] calling for national and international measures to secure, inter alia, the right of the mentally retarded person to a decent standard of living and economic security.[45] By its resolution 1590 (L) of 21 May 1971, the Economic and Social Council recommended that the General Assembly adopt a resolution stating its firm conviction "that a political system under which economic and social conditions are such as to ensure a decent standard of living for the population, makes it impossible for fascism, Nazism or other ideologies based on terror to succeed." Other areas in which the General Assembly and the Economic and Social Council took decisions relating to improving standards of living included the progress of science and technological applications,[46] the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour,[47] the economic, social and educational development of minority groups,[48] the improvement of living conditions in squatter settlements and slums of urban and rural areas,[49] demographic objectives and measures,[50] the multilateral trade negotiations of the General Agreement on Tariffs and Trade,[51] emergency measures in regard to the supply of fertilizers and pesticides,[52] activities for the advancement of women,[53] the World Housing Survey,[54] international monetary reform[55] and consumer protection.[56]

d. *Employment—mobilization of resources*[57]

15. Many of the decisions of the principal organs of the United Nations dealing with this topic encompassed recommendations to Governments encouraging high priority to the elaboration of national employment policies. The

[39]E S C resolution 1511 (XLVIII), para. 1 and Annex II.
[40]E S C resolution 1495 (XLVIII), paras. 3 and 5.
[41]E S C. resolution 1715 (LIII).
[42]G A resolution 31/163.
[43]E S C resolution 1585 (L).
[44]See below under Article 55(c).
[45]G A resolution 2856 (XXVI).
[46]E S C resolution 1513 (XLVIII).
[47]G A resolution 31/176.
[48]E S C resolutions 1588 (L) and 1589 (L).
[49]E S C resolution 1670 (LII).
[50]E S C resolution 1672 (LII).
[51]G A resolution 3309 (XXIX).
[52]E S C resolution 1836 (LVI).
[53]E S C resolution 1849 (LVI), annex II, para. 8(g) and E S C resolution 1858 (LVI).
[54]E S C resolution 1885 (LVIII).
[55]E S C resolution 1805 (LV).
[56]E S C resolution 2111 (LXIII).
[57]See *Repertory Supplement No. 4*, vol. II, under Article 55, paras. 17 and 18.

General Assembly recognized in the International Development Strategy that "the achievement of a sustained improvement in the well-being of the individual and equitable bestowal of benefits from development called for a global strategy in employment."[58] Thus, the Strategy articulated as one of its objectives the substantial increase in employment levels through the formulation of national employment objectives.[59] In the area of human development, developing countries would focus their employment strategy particularly on rural employment and public works, and strengthen institutions able to contribute to appropriate labour standards.[60]

16. The programme of concerted international action for the advancement of women annexed to General Assembly resolution 2716 (XXV) of 15 December 1970 established targets which included equal access to vocational advice and guidance to members of both sexes, universal acceptance of the principal of equal pay for equal work and a substantial increase in the numbers of qualified women at all levels of the workforce.[61] The Economic and Social Council recommended that, in future work, the International Labour Organization should devote attention to new problems of concern to women workers.[62]

17. At its fiftieth session, the Economic and Social Council, concerned by the material loss suffered by developing countries from the outflow of trained personnel to developed countries, drew the attention of the Governments of the developing countries to the need to adapt educational programmes to national requirements "in order to achieve a suitable correlation between the training of skilled personnel and employment opportunities."[63]

18. Stressing that one of the fundamental objectives of the United Nations was to promote full employment in all countries, the General Assembly noted with satisfaction that the main objectives of the Tripartite World Conference on Employment, Income Distribution, Social Progress and the International Division of Labour lay in promoting a better understanding of the nature and magnitude of employment problems, formulating recommendations for national strategies and adopting concrete proposals for action at the international level.[64]

e. *International cultural and educational cooperation*

19. Within the International Development Strategy, the General Assembly recognized the need for a joint and concentrated strategy for expanding and improving facilities for education, with particular emphasis on the achievement of universal primary school enrolment, improvement in overall education, reduction of illiteracy, reorientation of educational programmes for development needs and establishment and increase in scientific and technological institutions. The Strategy articulated a set of measures which included educational programmes to increase productivity, revision of curricula to maintain skills in line with technological progress and technical/vocational training.[65]

20. At its twenty-seventh session, the General Assembly decided to establish an international university under United Nations auspices.[66] Also during the period under review, the Assembly and the Economic and Social Council recognized the need to promote education policies and programmes and to eradicate illiteracy, and in this vein addressed a number of requests to the United Nations Educational, Scientific and Cultural Organization. For example, at its fifty-sixth session, the Council requested the UNESCO, inter alia, to develop pilot projects in the developing countries in a manner appropriate to the needs of those countries with regard to literacy and training.[67] The General Assembly and the Economic and Social Council took other decisions relevant to educational cooperation in the field of science and technology: the Assembly recognized the importance of establishing direct channels of cooperation among universities, research institutes, laboratories and similar institutions, within countries and among countries.[68]

21. The General Assembly took a number of decisions regarding the preservation and development of cultural values.[69] The Economic and Social Council, at its fiftieth session, expressed its conviction that every precaution must be taken to ensure that the process of integrating indigenous populations into national communities would not be carried out to the detriment of the institutions, traditions, and cultural values of those populations.[70]

f. *Production of food and food supply*

22. During the period under review, the General Assembly and the Economic and Social Council continued to cite the need for a substantial increase in the level of food production in developing countries, particularly those in Africa, and for the extension of adequate assistance to them for this purpose.[71] The General Assembly established the target for the Second Development Decade of an average annual growth of at least 6 per cent in the gross national product of developing countries, and an average annual expansion of 4 per cent in agricultural output.[72] Developing countries would frame appropriate agricultural strategies to ensure an adequate food supply to meet their nutritional and industrial requirements, to increase rural employment and to boost export earnings.[73]

23. The General Assembly and the Economic and Social Council took a number of decisions regarding conferences in this field. At its twenty-seventh session, the General Assembly, on the recommendation of the Economic and Social Council,[74] decided to convene a World Food Conference in 1974 to formulate solutions for and increase

[58]G A resolution 2626 (XXV), para. 7.
[59]Ibid., para. 18(a)
[60]Ibid., para. 66. See also E S C resolution 1808 (LV); G A resolutions 2771 (XXVI), 3176 (XXVIII), paras. 4 and 17, and 3517 (XXX), sect. IV, paras. 41, 42 and 67.
[61]E S C resolution 1511 II(B) (XLVIII). See also E S C resolution 1849 (LVI), G A resolution 3342 XXIX).
[62]E S C resolution 1859 (LVI).
[63]E S C resolution 1573 (L).
[64]G A resolution 3509 (XXX). See also G A resolution 31/176 and E S C resolution 1968 (LIX).
[65]G A resolution 2626 (XXV), A, para. 7, B para. 18(b), C para. 67. See also G A resolutions 3176 (XXVIII), paras. 17 and 43 and 3517 (XXX), para. 67.
[66]G A resolution 2951 (XXVII), 32/54 and 33/108. See below, analytical summary for this Article, sect. 3 (a).
[67]E S C resolution 1860 (LVI).
[68]G A resolution 2658 (XXV).
[69]See infra, analytical summary for this Article, sect. 3 (b).
[70]E S C resolution 1589 (L).
[71]See G A resolution 2682 (XXV), E S C resolutions 2009 (LXI) and 2073 (LXII).
[72]G A resolution 2626 (XXV), para. 69.
[73]Ibid., para. 75. See also G A resolution 2682 (XXV).
[74]E S C resolution 1831 (LV).

international cooperation to combat the world food problem within the broader context of development.[75] The Council, noting the decision taken by the Council of the Food and Agriculture Organization of the United Nations at its sixty-sixth session to hold a World Conference on Agrarian Reform and Rural Development, requested the Secretary-General to cooperate with the Director General of FAO in making preparations for the Conference.[76]

24. The General Assembly established a World Food Council to function as an organ of the United Nations, reporting to the Assembly through the Economic and Social Council and serving as "a coordinating mechanism to provide overall integrated ... coordination and follow-up of policies concerning food production, nutrition, food security, food trade and aid."[77] At its thirtieth session, the Assembly, on a proposal made by the United Nations Intergovernmental Committee of the World Food Programme, decided that the Intergovernmental Committee should be reconstituted as the Committee on Food Aid Policies and Programmes, tasked with the same functions as the Intergovernmental Committee, as well as general guidance on the policy and administration of the World Food Programme.[78]

25. The General Assembly and the Economic and Social Council endorsed or adopted several other instruments containing recommendations in the field of food production and supply which were subsequently commended to Governments and relevant specialized agencies, organs and other bodies within and outside the United Nations system. These included the Manila Communiqué of the World Food Council: A Programme of Action to Eradicate Hunger and Malnutrition,[79] the Programme of Action on the Establishment of a New International Economic Order,[80] the Universal Declaration on the Eradication of Hunger and Malnutrition adopted at the 1974 World Food Conference, a section devoted to the world food problem in General Assembly resolution 3362 (S-VII) on development and international economic cooperation,[81] and the Mexico Declaration of the World Food Council.[82] Both the Assembly and the Council took a number of decisions affecting the establishment of an International Fund for Agricultural Development.[83]

g. *Nutrition standards and health care*

26. Objectives in this field articulated in the International Development Strategy for the Second Development Decade included the improvement in the levels of average caloric intake and protein content, with special emphasis on the needs of vulnerable population groups, and the elaboration by developing countries of coherent health programmes.[84] The first biennial overall review and appraisal of progress in the implementation of the International Development Strategy, finding that health facilities remained inadequate to respond to the needs of developing countries,[85] recommended steps to improve the quantity, quality and availability of health services.[86] At its seventh special session, the General Assembly adopted a set of framework measures calling for the World Health Organization and the competent organs of the United Nations system to give priority to disease prevention, malnutrition and primary health services in developing countries.[87] The programme of concerted international action for the advancement of women contained among its objectives the progressive extension of health-related measures.[88]

27. At its forty-eighth session, the Economic and Social Council requested the World Health Organization to cooperate with the FAO, the United Nations Children's Fund and other relevant bodies of the United Nations to intensify action and research on the health aspects of malnutrition to meet the situation of malnourished populations.[89] At its fifty-third session, the Council commended the continued efforts of the Executive Board of UNICEF to elaborate new guidelines for further initiatives for long-term supplementary feeding schemes.[90] The General Assembly and the Council took decisions in the field of edible protein,[91] including a list of essential elements of the Strategy Statement on Action to Avert the Protein Crisis in the Developing Countries.[92]

h. *Human settlements—housing standards*

28. The General Assembly and the Economic and Social Council continued to take decisions throughout the period under review in the field of human settlements, which the Assembly recognized as an essential component of socio-economic development.[93] For the Second Development Decade, the Assembly set out measures within the International Development Strategy calling for the expansion and improvement of housing facilities, especially for low-income groups, and with priority on ameliorating "the ills of unplanned urban growth and lagging rural areas."[94] At the same session, the General Assembly recommended broad directions and measures for the improvement of human settlements.[95] At its twenty-seventh session, the Assembly recommended that all development assistance agencies should give high priority to requests from Governments for assistance in housing and human settlements.[96] The Economic and Social Council recommended that the Centre for Housing, Building and Planning should provide support to operational and training projects in the field of integrated regional development.[97]

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[75] G A resolution 3180 (XXVII).
[76] E S C resolution 1967 (LIX). See also E S C resolution 1978/44.
[77] G A resolutions 3348 (XXIX) and 3404 (XXIX).
[78] G A resolution 3404 (XIX).
[79] E S C resolution 2114 (LXIII).
[80] G A resolution 3202 (2) (S-VI), preamble.
[81] G A resolution 3362 (S-VII).
[82] G A resolution 33/90.
[83] See G A resolutions 3362, V (S-VII), 3503 (XXX) and 32/53; E S C resolution 1969 (LIX). See also *Repertory Supplement No. 4*, vol. II, under Article 59.
[84] G A resolution 2626 (XXV) B, para. 18.
[85] G A resolution 3176 (XXIX), paras. 17 and 20.
[86] Ibid., para. 44. See also G A resolution 3557 (XXVIII).
[87] G A resolution 3362 (S-VII), para. 9.
[88] E S C resolution 1511 (XLVIII), annex II.C, and G A resolution 2716 (XXV).
[89] E S C resolution 1492 (XLVIII).
[90] E S C resolution 1709 (LIII).
[91] See G A resolutions 2626 (XXV), para. 69, and 2684 (XXV); E S C resolution 1640 (LI).
[92] G A resolution 2848 (XXVI).
[93] G A resolution 32/162. See also G A resolutions 2999 (XXVII) and 3128 (XXVII).
[94] G A resolution 2626 B (XXV), para. 18(e).
[95] G A resolution 2718 (XXV). See also G A resolutions 2999 (XXVII) and 3128 (XXVIII).
[96] G A resolution 2998 (XXVII).
[97] E S C resolution 1884 (LVII). See also E S C resolution 1914 (LVII).

29. At its fifty-seventh session, the Economic and Social Council, in accordance with the decision of the Governing Council of the United Nations Environment Programme, decided that the Policy and Programme Coordination Committee of the Economic and Social Council and the Secretary-General would consult inter-sessionally to formulate a plan for the establishment of an international foundation for human settlements.[98] On the Council's recommendation, the General Assembly decided that the United Nations Habitat and Human Settlements Foundation would be established to provide seed capital and technical/financial assistance to strengthen national environmental programmes relating to human settlements.[99] At its twenty-seventh session, the General Assembly decided to hold a United Nations Conference-Exposition on Human Settlements,[100] subsequently characterized as a practical forum for information exchange regarding solutions to problems of human settlements.

30. At its thirty-first session, the General Assembly requested the Secretary-General, the regional commissions and the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System to formulate and transmit their various conclusions regarding institutional arrangements for international cooperation in the field of human settlements to the Economic and Social Council.[101] At its thirty-second session, the Assembly adopted a slightly revised version of the draft resolution on this subject, transmitted by the Council.[102] The Assembly decided that the Council should transform the Committee on Housing, Building and Planning into a Commission on Human settlements to assist, promote and strengthen national, regional and international cooperation in the field. The Assembly also established the United Nations Centre for Human Settlements (Habitat).[103]

i. *Integration of women in the development process*

31. During the period under review, the General Assembly and the Economic and Social Council continued to take decisions for the advancement of women. The International Development Strategy constituted the first instrument to ask for the full integration of women in development.[104]

32. At its twenty-seventh session, the General Assembly, on the recommendation of the Economic and Social Council,[105] adopted a resolution proclaiming the year 1975 as International Women's Year and decided to devote the year to intensified action in order to ensure the full integration of women in the total development effort.[106] At its fifty-sixth session, the Economic and Social Council approved the programme of measures and activities for International Women's Year.[107] At the same session, the Council requested the Secretary-General to convene, in consultation with Member States, specialized agencies and interested non-governmental organizations, an international conference during International Women's Year which would launch an international action programme towards the integration of women in development.[108] The Council took note of the report of the World Conference and in particular of the Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace.[109] By its resolution 31/136 of 16 December 1976, the Assembly approved the Programme for the United Nations Decade for Women, adopted by the Commission on the Status of Women at its twenty-sixth session.[110]

33. In a number of resolutions, the General Assembly and the Economic and Social Council adopted decisions to promote the effective participation of women at various levels of the development process[111] and to increase the number of competent women within the United Nations system.[112] At its fifty-second session, the Council requested UNDP to consider allocating more technical assistance funds for strengthening rural development programmes for women.[113]

34. Various bodies were created for the advancement of women during the period under review. The General Assembly adopted measures for a voluntary fund for International Women's Year,[114] established by the Economic and Social Council in its resolution 1850 (LVI) of 16 May 1974. At its fifty-second session, the Council invited interested intergovernmental organizations outside the United Nations system to consider the establishment of regional commissions on the status of women.[115] At its sixtieth session, the Council, on the recommendation of a group of experts convoked to study the question, established the International Research and Training Institute for the Advancement of Women as an autonomous body under the auspices of the United Nations.[116]

35. By its resolution 2063 (LXII) of 12 May 1977, the Economic and Social Council recommended that Member States should encourage the presentation of programmes and the publication of materials ensuring the elimination of sex-role stereotyping in the media, and decided to appoint a special rapporteur to prepare a study on the impact of the mass communication media on the changing roles of women.

2. DECISIONS WITH REGARD TO COOPERATION AND TECHNICAL ASSISTANCE FOR DEVELOPMENT

36. The decisions of the General Assembly and of the Economic and Social Council frequently referred to or implied the need for international cooperation in the promotion of economic and social development. The Interna-

[98] E S C resolution 1882 (LVII).
[99] G A resolution 3327 (XXIX). See also G A resolution 3434 (XXX).
[100] G A resolution 3001 (XXVII) and G A resolution 3325 (XXIX) (change of name to United Nations Conference on Human Settlements (Habitat)). See also G A resolutions 3128 (XXVIII) and 31/109.
[101] G A resolution 31/116.
[102] E S C decision 262 (LXIII).
[103] G A resolution 32/162.
[104] G A resolution 2626 B (XXV), para. 18(h).
[105] E S C resolution 1681 (LII).
[106] G A resolution 3010 (XXVII).
[107] E S C resolution 1849 (LVI).
[108] E S C resolution 1851 (LVI). See also E S C resolution 1942 (LVIII).
[109] E S C resolution 1959 (LIX).
[110] See E S C decision 196 (LXI).
[111] See G A resolutions 3505 (XXX), 31/136, 31/175 and 33/78; E S C resolutions 1678 (LII), 1856 (LVI), 1928 (LVIII) and 1942 (LVIII).
[112] E S C resolution 1685 (LII).
[113] E S C resolution 1678 (LII).
[114] G A (30) A/10034, p. 100, agenda items 75 and 76. See also G A resolution 31/133.
[115] E S C resolution 1682 (LII).
[116] E S C resolution 1998 (LX) (endorsed by the Assembly in resolution 31/135).

tional Development Strategy envisioned the need for full international cooperation for the establishment, strengthening and promotion of scientific research and technological activities bearing on the expansion and modernization of the economies of developing countries.[117] The General Assembly dedicated its seventh special session, held from 1 to 16 September 1975, to the question of development and international economic cooperation.[118] Recalling the principles and goals of the new international economic order,[119] the Assembly established measures to form the basis and framework for the work of the bodies and organizations of the United Nations system in the fields of international trade, the transfer of real resources for financing development, international monetary reforms, science and technology, industrialization, food and agriculture, cooperation among developing countries and the restructuring of the economic and social sectors of the United Nations system.

37. In adopting the Declaration on the Establishment of a New International Economic Order, the General Assembly proclaimed that international cooperation for development was the shared goal and common duty of all countries, to be founded on full respect for the broadest and most equitable cooperation of all the States members of the international community.[120] In that light, at its thirty-second session, the Assembly invited the Secretary-General to appoint a Director-General for Development and International Economic Cooperation.[121]

38. The General Assembly and the Economic and Social Council took a number of decisions affecting regional economic cooperation. At its fifty-fifth session, the Economic and Social Council established the Economic Commission for Western Asia.[122] At its fifty-seventh session, the Council requested the Secretary-General, in consultation with the Administrator of UNDP, to make the necessary arrangements to delegate the appropriate functions of an executing agency to the regional economic commissions for regional, subregional and interregional projects, financed by UNDP, as requested by the countries concerned.[123]

39. During the period under review, two main fields of international cooperation can be distinguished: (a) economic and technical assistance and (b) economic and technical cooperation among developing countries.

a. *Economic and technical assistance*

40. Decisions relating to economic and technical assistance were taken on such specific matters as economic and technical assistance in science and technology,[124] land and agrarian reforms,[125] protection of the environment,[126] industrialization (diversification of production, indigenous technologies),[127] disaster prevention and relief,[128] advancement of women,[129] vocational training,[130] export promotion,[131] finance,[132] economic surveys,[133] natural resources,[134] housing and planning,[135] population and demography,[136] statistics[137] and administration.[138] Emphasis was put on the special need for assistance to the least developed[139] and the land-locked countries.[140] The International Development Strategy articulated policy measures for technical assistance in a number of fields of action aimed exclusively at promoting the economic and social progress of developing countries with due consideration to the national sovereignty of recipient countries.[141]

41. Throughout much of the period under review, the General Assembly adopted resolutions referring to special assistance programmes aimed at addressing the problems of individual countries, in particular newly independent States facing a lack of infrastructure for development, countries experiencing hostilities, natural catastrophes or economic difficulties. Resolutions included appeals to Member States and the international institutions concerned to assist the Governments in reconstruction efforts. By these resolutions, the Secretary-General was requested to mobilize the financial, technical and economic assistance of the international community.[142]

42. At its thirtieth session, the General Assembly endorsed the decision of the Governing Council of UNDP on new dimensions in technical cooperation, stating that technical cooperation should promote self-reliance in developing countries by building up their productive capability and their indigenous resources and by increasing their availability of the managerial, technical, administrative and research capabilities required in the development process.[143]

b. *Economic and technical cooperation among developing countries*

43. Both the General Assembly and the Economic and Social Council took decisions regarding economic and technical cooperation among developing countries in fields relating to industrialization,[144] science and technology,[145] and the problem of the availability and supply of natural resources.[146] Within the International Development Strategy, the Assembly made recommendations concerning trade expansion, economic cooperation and regional

[117] G A resolution 2626 (XXV), para. 62.
[118] G A resolution 3362 (S-VII).
[119] G A resolutions 3201 and 3202 (S-VI).
[120] G A resolution 3201 (S-VI).
[121] G A resolution 32/197.
[122] E S C resolution 1818 (LV).
[123] E S C resolution 1896 (LVII).
[124] G A resolutions 2804(XXVI), 3176(XXVIII) and E S C resolutions 1571(L) and 1636(LI).
[125] E S C resolutions 1495(XLVIII), 1707 (LIII), 1836 (LVI).
[126] G A resolutions 2849(XXVI), 32/169 and E S C resolution 1954(LIX).
[127] G A resolutions 2823(XXVI), 3517 (XXX) and E S C resolution 1617 (LI).
[128] G A resolution 3440 (XXX) and E S C resolutions 1972(LIX), 1978/41.
[129] E S C resolutions 1511 (XLVIII), 1678(LII).
[130] G A resolution 3202(XXIX) and E S C resolution 1573 (L).
[131] E S C resolutions 1620(LI), 1630(LI).
[132] E S C resolutions 1631(LI), 1633 (LI).
[133] G A resolutions 3508(XXX), 3510(XXX).
[134] E S C resolutions 1954(LIX), 1970(LIX).
[135] E S C resolutions 1884 (LVII), 1914 (LVII).
[136] E S C resolutions 1486 (XLVIII), 1672(LII), 2053 (LXII).
[137] E S C resolution 1566(L).
[138] G A resolution 2845(XXVI).
[139] G A resolution 3036(XXVII).
[140] G A resolutions 2971(XXVII), 3311(XXIX), 31/177.
[141] G A resolution 2626 (XXV).
[142] For example, G A resolutions 31/17, 31/42; see also G A resolutions 3242 (XXIX), 3244 (XXIX), 3339 (XXIX), 3441 (XXX), 31/43, 31/185, 32/3, 32/92, 32/94, 32/100, 32/101, 33/21, 331/123, 33/124, 33/127, 33/128, 33/129, 33/130, 33/146, 33/152.
[143] G A resolution 3405 (XXX), annex.
[144] G A resolution 3087 (XXVII).
[145] E S C resolution 1826 (LV).
[146] E S C resolution 1954 (LIX).

integration among developing countries, addressing both the developing and the developed countries. The developing countries were asked to institute schemes for regional and subregional integration among themselves based on preferential trade arrangements, while the developed economies pledged their support and assistance of these efforts.[147]

44. With the proclamation of a new international economic order, the General Assembly assigned great importance to the question of cooperation among developing countries, affirming as one of the founding principles of the order the full respect for the strengthening of mutual economic, trade, financial and technical cooperation among developing countries.[148] The Programme of Action dedicated a chapter to the promotion of cooperation among developing countries.[149] The seventh special session elaborated measures for support and assistance of cooperation among developing countries.[150]

45. At its thirty-first session, the General Assembly decided to convene a United Nations Conference on Technical Cooperation among Developing Countries, held at Buenos Aires in August/September 1978.[151] At its thirty-third session, the Assembly, acting on the recommendation of the Economic and Social Council,[152] took note of the report of the Conference and endorsed the resolutions adopted by the Conference.[153] At its thirty-first session, the Assembly endorsed resolution 92(IV) of the United Nations Conference on Trade and Development relating to measures of support by developed countries and international organizations for the programme of economic cooperation among developing countries, and welcomed the establishment by the Trade and Development Board of the Committee on Economic Cooperation among Developing Countries.[154] At its twenty-eighth session, the Assembly recognized the role of the United Nations Capital Development Fund as an instrument for cooperation among developing countries themselves.[155]

3. Decisions with Regard to Financing Economic Development

46. During the period under review, the General Assembly and the Economic and Social Council continued to emphasize the importance of providing and increasing the international flow of financial assistance for the economic and social development of developing countries[156] through multilateral and bilateral assistance programmes.[157] For example, throughout the period, the Assembly called for the real and substantial increase in the concessional financial resources of the International Development Association.[158] At its thirtieth session, the Assembly requested the Secretary-General to study ways and means of accelerating the transfer of real resources to developing countries "on a predictable, assured and continuous basis"[159] and to study different means of readying additional and/or new resources for development projects.[160] At its fifty-third session, the Council urged Governments of developed countries to increase their assistance to developing countries and "to provide this assistance on such concessionary terms as are necessary to make its contribution to the attack on mass poverty and unemployment meaningful".[161]

47. A number of resolutions envisioned financial assistance to developing countries in emergency situations, appealing to Member States and to international financial institutions for assistance and requesting the Secretary-General to mobilize the financial, technical and economic assistance of the international community with a view to meeting the short-term and long-term development needs of countries experiencing economic difficulties from natural disasters, newly independent status or military conflict.[162] At its twenty-seventh session, the General Assembly invited Governments and financial institutions to "adapt the terms and volume of their assistance to the countries of the Sudano-Sahelian region to the needs of these countries, their financial situation, and their external indebtedness".[163]

48. The General Assembly placed the main responsibility for financing economic development upon developing countries, articulating responsibilities in the areas of fiscal and monetary policy, tax administration and public spending.[164] The International Development Strategy set out development financing measures to be carried out by economically advanced countries, including targets for transfer of financial resources, the untying and softening of terms of financial assistance and the creation of a link between Special Drawing Rights and resources for financing development.[165] Throughout the period, the Assembly and the Economic and Social Council reminded Governments of developed countries of the need to meet their obligations for the transfer of resources to developing countries under the Strategy.[166] Moreover, both the Assembly and the Council continued to gauge the level of financial flows from developed countries.[167]

49. During the period under review, the General Assembly took measures to establish several funds, including the United Nations Industrial Development Fund,[168] the International Fund for Agricultural Development, a voluntary Environment Fund[169] and the United Nations Habitat and

[147] G A resolution 2626 (XXV).
[148] G A resolution 3201 (S-VI).
[149] G A resolution 3202 (S-VI).
[150] G A resolution 3362 (S-VII).
[151] See G A resolutions 31/179, 32/183 and E S C resolution 2023 (LXI).
[152] E S C resolution 1978/78.
[153] G A resolution 33/134. See also G A resolutions 3177 (XXVIII), 3241 (XXXX), 3442 (XXX), 31/119, 23/180, 33/195.
[154] G A resolution 31/159.
[155] G A resolution 3122 (XXVIII).
[156] See *Repertory Supplement No. 4*, vol. II, under Article 55, para. 25.
[157] See G A resolutions 2973 (XXVII), 3362, II (S-VII), 32/181 and 33/136; E S C resolutions 1494 (XLVIII) and 1615 (LI).
[158] G A resolutions 3387 (XXX) and 31/181.
[159] G A resolution 3489 (XXX).
[160] G A resolutions 2849 (XXVI), 3362, II (S-VII) and 3489 (XXX); E S C resolutions 1552 (XLIX), 1582 (L) 1631 (LI).
[161] E S C resolution 1727 (LIII).
[162] See, e.g., G A resolutions 1836 (LVI), 31/42, 31/187 and 31/188; E S C resolution 1876 (LVII).
[163] G A resolution 3054 (XXVIII).
[164] G A resolution 2626, para. 41 (XXV).
[165] Ibid., paras. 44-52. See also G A resolution 3202 (S-VI), sect. II, para. 1 (f).
[166] G A resolutions 2975 (XXVII), 3176 (XXVIII) and 31/174; E S C resolution 1581 (L).
[167] See G A resolutions 3202 (S-VI), II, 2(h) and IX, 5. 3176 (XXVIII), paras. 26, 45, 55, 56. See also G A resolution 3517 IV, paras. 48, 49, 52 (XXX). E S C resolution 172 (LIII).
[168] G A resolutions 3311 (XXIX) and 31/202.
[169] G A resolution 2997 (XXVII).

Human Settlements Foundation.[170] At its thirty-first session, the Assembly approved the Statute of the United Nations Special Fund for Land-locked Developing Countries.[171] The United Nations Special Fund, established as an organ of the General Assembly at the Assembly's sixth special session,[172] would operate as "a central monitoring body for bilateral and multilateral assistance to aid the most seriously affected developing countries." In deciding to establish a United Nations Revolving Fund for Natural Resources Exploration as a trust fund, the Assembly and the Council recognized the need to extend and intensify the activities of the United Nations system to meet the need for increased natural resources exploration in the developing countries.[173] In addition, the Council requested the Secretary-General to study the feasibility of establishing a United Nations Export Development Fund,[174] the desirability of establishing a special fund for the financing and/or compensation of the interest on the external debt of the developing countries[175] and the feasibility and desirability of establishing a multilateral insurance and reinsurance agency.[176] At its seventh special session, the Assembly decided that the question of an international investment trust should be examined to increase access on favourable terms to capital markets in developed countries.[177]

50. The General Assembly took a number of decisions addressing the debt problems of developing countries.[178] At its twenty-seventh session, the Assembly, "mindful of the purposes set forth in Article 55 of the Charter of the United Nations," requested the Trade and Development Board to study the effects of debt servicing burdens upon developing countries and the question of a special fund for financing and/or compensating the interest on that debt.[179] At its thirty-first session, the Assembly considered the reorientation of procedures to reorganize debt owed to developed countries and agreed on recommended parameters for future debt negotiations.[180] At its thirty-second session, the General Assembly called upon the Trade and Development Board "to reach satisfactory decisions on" generalized debt relief by developed countries on the official debt of the developing countries, and reorganization of the entire system of debt renegotiation.[181]

International monetary situation

51. The General Assembly and the Economic and Social Council took a number of decisions during the period to address the international monetary crisis, affirming that one of the main objectives of international monetary reform should be the promotion of economic development in developing countries.[182] At its fifty-first session, the Council, "considering the spirit and objectives of the Charter of the United Nations relating to economic and social development in a changing world," called upon the Member States and members of the specialized agencies "to take positive and coordinated measures to remedy" those imbalances arising from the crisis affecting developing countries, and invited the International Monetary Fund, in cooperation with the Secretariat of the United Nations, the International Bank for Reconstruction and Development and other appropriate organizations, to seek improvements in the monetary system.[183] At its twenty-sixth session, the Assembly called upon developed market-economy countries to take a recommended set of immediate measures towards resolving the problem.[184]

4. Institutional Arrangements and National Capacities

a. *Questions relating to administrative, fiscal, legislative and statistical matters*

52. Resolutions relating to public administration and institutional reforms drew the attention of Member States, particularly Governments of developing countries, to the importance of measures to increase the administrative capability for economic and social development and the desirability of making such measures form an integral part of development plans at all levels.[185]

53. Both the Economic and Social Council and the General Assembly requested the Secretary-General to undertake studies and formulate programmes identifying and recommending measures for the improvement of the management of public administration and finance required to further national development objectives.[186] The Council requested the Secretary-General to conduct a number of studies, in consultation with IMF and other interested organizations, with a view to creating capacity for tax planning in developing countries.[187] The Secretary-General was requested moreover to assist in these fields through the organization of international, regional, subregional and national training programmes, seminars and panels.[188]

54. At its twenty-sixth session, the General Assembly endorsed the objectives of the regional centres of administration for development to increase the administrative capability and efficiency of the developing countries in order to speed up the progress of economic and social development.[189] At its thirtieth session, the Assembly requested the Executive Director of UNEP, in taking measures for the implementation of the strategies relating to the field of national and international environmental law, to provide technical assistance to developing countries, at their request, for the development of their national environmental

[170] E S C resolution 1882 (LVII); G A resolution 3327 (XXIX). See also G A resolution 3434 (XXIX).
[171] See also G A resolutions 3504 (XXX), 3169 (XXVIII) and 31/177; E S C resolution 1755 (LIV).
[172] G A resolution 3202 (S-VI), X, para. 5. See also G A resolutions 3147 (XXVIII) and 3214 (XXIV) and E S C resolution 1753 (LIV).
[173] G A resolution 3167 (XXVIII) and E S C resolution 1837 (LVI).
[174] E S C resolution 1620 (LI).
[175] G A resolution 3039 (XVII).
[176] G A resolution 32/177.
[177] G A resolution 3362, II, para. 9 (S-VII).
[178] See G A resolutions 3202 (S-VI), II(g), 3362 (S-VII), II, para. 8 and 33/159. See *Repertory Supplement No. 4*, vol. II, under Article 55, para. 26.
[179] G A resolution 3039 (XXVII).
[180] G A resolution 31/158.
[181] G A resolution 32/187.
[182] G A resolutions 3201 (S-VI), para. 4(l) and 3347 (XXIX); E S C resolution 1805 (LV).
[183] E S C resolutions 1627 (LI) and 1652 (LI).
[184] G A resolutions 2808 (XXVI), 3040 (XXVII) and 3084 (XXVIII).
[185] G A resolution 2845 (XXVI), E S C resolutions 1567 (L), 1581 (L) and 1978/6; see also G A resolution 2626 (XXV).
[186] See G A resolutions 3335 (XXIX), 3488 (XXX), 32/179, 33/144; E S C resolutions 1564, 1633 (LI) and 1977 (LIX).
[187] E S C resolution 1631 (LI).
[188] E S C resolutions 1632 (LI) and 1764 (LIV).
[189] G A resolution 2845 (XXVI).

legislation.[190] Resolutions relating to the field of statistics included requests for improved cooperation in this field among the Statistical Commission, national statistical offices, regional economic commissions and concerned United Nations organs and agencies.[191] At its fiftieth session, the Economic and Social Council requested the Secretary-General to publish and distribute the "Principles and recommendations for a vital statistical system" and to assist the developing countries in their implementation.[192]

b. *Decisions with regard to population matters*

55. The Economic and Social Council and the General Assembly took a number of decisions concerning population matters, including the designation of a World Population Year,[193] the proposal for a World Population Conference devoted to basic demographic problems in relation to economic and social development[194] and the endorsement of a five-year and a two-year programme of work in the field of population recommended by the Population Commission.[195]

56. The International Development Strategy for the Second United Nations Development Decade addressed the question of population growth.[196] At its fifty-second session, the Economic and Social Council requested the Secretary-General to initiate studies on the needs for the development and implementation of demographic objectives and measures, and to assist, upon request, Member States in population activities.[197] The Council urged the interested Governments of Member States and members of specialized agencies to give full attention to population programmes in development planning and in policy-making, and called for their participation in the 1970 World Population Census Programme.[198] The question of population was also addressed in resolutions dealing with the research on the interrelationships between population, resources, environment and development,[199] and the interrelationship of the status of women and population.[200] At its fifty-eighth session, the Council requested the Secretary-General, in consultation with the relevant organs of the United Nations, to prepare guidelines to assist development planners taking into account population-related factors in national development planning.[201]

57. At its twenty-ninth session, the General Assembly called upon the Population Commission and the governing bodies of the United Nations Development Programme, the United Nations Fund for Population Affairs, the regional commissions, the specialized agencies and all other United Nations bodies reporting to the Economic and Social Council to determine how each could best assist in implementing the World Population Plan of Action resulting from the World Population Conference, and placed the regional monitoring and review of the Plan within the ambit of the Council.[202] At its twenty-sixth session, the General Assembly and the Council adopted various decisions regarding the administration of the United Nations Fund for Population Activities.[203]

c. *Science and technology*

58. During the period under review, both the General Assembly and the Economic and Social Council adopted decisions regarding the promotion of science and technology, particularly in the context of national, international and United Nations efforts to give developing countries the benefit of achievements of modern science and technology. At its fifty-seventh session, the Council recognized that "the application of science and technology to development ... is vital to the attainment of the objectives enunciated in Article 55 of the Charter of the United Nations."[204] At its twenty-eighth session, the Assembly

> "... call[ed] upon all States to develop further international cooperation to ensure that the results of scientific and technological development are used in the interests of strengthening international peace and security, the realization of the peoples' right to self-determination and respect for national sovereignty, freedom and independence and for the purpose of economic and social development and improving the quality of life for the entire population."[205]

59. A number of decisions and programmes, including the International Development Strategy,[206] and the Declaration on the New International Economic Order,[207] recommended that Governments promote and increase international technical and scientific cooperation to allow developing countries the benefit of the achievements of modern science and technology for economic and social progress. At its thirtieth session, the General Assembly adopted the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, proclaiming that

> "[a]ll States shall promote international cooperation to ensure that the results of scientific and technological development are used in the interests of strengthening international peace and security, freedom and independence, and also for the purpose of the economic and social development of peoples and the realization of human rights and freedoms in accordance with the Charter of the United Nations."[208]

60. At its twenty-eighth session, the General Assembly invited the Secretary-General to pay particular attention to problems which might arise from the use of scientific and technological developments.[209] The Economic and Social Council commended the proposals contained in the World Plan of Action for the Application of Science and Technology to Development, prepared by the Advisory Committee on the Application of Science and Technology to Development, to Governments of Member States, to various orga-

[190] G A resolution 3436 (XXX).
[191] E S C resolutions 1566 (L) and 2061(LXII).
[192] E S C resolution 1564 (L).
[193] See E S C resolution 1485(XLVIII) and G A resolution 2683 (XXV).
[194] E S C resolution 1484 (XLVIII).
[195] E S C resolution 1486 (XLVIII).
[196] G A resolution 2626(XXV).
[197] E S C resolution 1672 (LII).
[198] E S C resolution 1486 (XLVIII). See also E S C resolution 1947 (LVIII).
[199] G A resolution 3345 (XXIX).
[200] E S C resolution 1942 (LVIII).
[201] E S C resolution 1943 (LVIII).
[202] G A resolution 3344 (XXIX).
[203] G A resolutions 2815 (XXVI) and 3019 (XXVII); E S C resolution 1763 (LIV). See also G A resolution 31/170.
[204] E S C resolution 1905 (LVII).
[205] G A resolution 3150 (XXVIII).
[206] G A resolution 2626, C(7), paras. 60-64.
[207] G A resolution 3201 (S-VI), para. 4(p).
[208] G A resolution 3384 (XXX). See also E S C resolution 1571 (L) and G A resolution 3362 (S-VII).
[209] G A resolution 3150 (XXVIII).

nizations within the United Nations system and to the regional economic commissions, to assist in the formulation of programmes and policies in the field.[210] The Assembly urged Governments to encourage government initiatives and international cooperation in specific fields, including the application of computer technology for development[211] and the establishment of data systems for scientific and technological activities for national policy-making.[212]

61. Requests by the Economic and Social Council and the General Assembly to the various organizations and bodies of the United Nations system to promote science and technology focused primarily on assistance for the benefit of developing countries and for the diversification of technical and scientific cooperation among countries.[213] Specific provisions to this end included the establishment of a standing Committee on Science and Technology for Development,[214] the need for capacity-building for the action programme against desertification,[215] research in the field of alternative energy resources[216] and the promotion of indigenous technology.[217] In order to elaborate a United Nations policy in the field of science and technology,[218] the Council decided to convene an intergovernmental working group of the Committee on Science and Technology for Development to examine objectives, topics and an agenda for a conference on science and technology.[219]The Assembly subsequently decided to convene the Conference during 1979.[220]

62. The Economic and Social Council and the General Assembly requested studies and recommendations by the Secretary-General, the Advisory Committee on the Application of Science and Technology to Development and other specialized agencies concerning the application of computer technology for development.[221] A number of decisions sought to encourage and/or strengthen research and development in the field on an international, regional, subregional or national basis,[222] through the establishment of various information banks.[223]

d. *Industrial development*

63. During the period under review, the General Assembly took decisions regarding industrial development, reaffirming its importance as an essential feature to development.[224] Both the first biennial overall review and appraisal and the mid-term review of the International Development Strategy, and the new international economic order set out recommendations for further action in the field of industrial development.[225] The Assembly decided to convene the first three general conferences of the United Nations Industrial Development Organization.[226] The Assembly took note of the Conference reports from the 1971 Special International and 1975 General Conference, endorsing both the resolution of consensus on long-range strategy, structure and financing of UNIDO[227] and the Lima Declaration and Plan of Action on Industrial Development Cooperation[228] at the conclusion of those respective Conferences, set out recommendations for cooperation in industrial development, and called upon developed countries to take new initiatives and policies.[229]

64. Decisions in this field included requests for assistance of subsidiary bodies, including assistance in industrial technological development and industrial pilot programmes,[230] operational activities in industrial surveys for the needs of landlocked developing countries[231] and studies to assist developed country efforts in carrying out the new initiatives recommended during the seventh special session of the General Assembly.[232] At its twenty-seventh session, the Assembly approved the report of the Ad Hoc Committee on Cooperation between UNDP and UNIDO and approved the guidelines for the operation of the programme of Special Industrial Services.[233] The Assembly requested the Secretary-General and the Second General Conference of UNIDO to consider the establishment of a voluntary United Nations industrial development fund,[234] which, by its resolution 31/202 of 22 December 1976, the Assembly subsequently established.

e. *Transport and communications*[235]

65. During the period under review, the General Assembly and the Economic and Social Council continued to make recommendations regarding the coordination and modalities in the transport and communications field.[236] At its forty-eighth session, the Council decided to convene, in conjunction with the Intergovernmental Maritime Consultative Organization, a conference on international container traffic to deal with administrative, technical and legal problems in the field.[237] At its fifty-fourth session, the Council endorsed the recommendations of the United Nations/IMCO Conference on International Container Traffic, held at Geneva in 1972, and requested the Trade and Development Board to establish, "following the pattern of the Preparatory Committee for the United Nations Conference on a Code of Conduct for Liner Conferences, an inter-

[210]E S C resolutions 1638 (LI), 1717 (LIII), 1823 (LV) and 1899 (LVII).
[211]G A resolution 2804 (XXVI).
[212]E S C 1901 (LVII).
[213]G A resolution 2658 (XXV). See also E S C resolution 2108 (LXIII).
[214]E S C resolution 1621 (LI).
[215]G A resolution 3337 (XXIX). See also E S C resolution 1898 (LVII) and 2030 (LXI).
[216]E S C 2031 (LXI).
[217]G A resolution 2658 (XXV).
[218]E S C resolution 1826 (LXV) and G A resolution 3168 (XXVIII).
[219]E S C resolution 1897 (LVII).
[220]G A resolutions 3362 (S-VII), III, and 31/184.
[221]G A resolution 2804 (XXVI), E S C resolutions 1571 (L) and 1824 (LV).
[222]See G A resolution 2804 (XXVI) and E S C resolutions 1637 (LI), and 1715 (LIII). See also E S C resolutions 2108 (LXIII) and 2123 (LXIII).
[223]G A resolution 3507 (XXX), 3362 (S-VII), 31/183 and 32/178.
[224]G A resolution 2692 (XXV).
[225]G A resolutions 3176 (XXVIII), paras. 10, 15, 19, 41, 3517 (XXX), paras. 69 and 70 and 3202 (S- VI), III.
[226]G A resolutions 2638 (XXV), 2814 (XXVI); E S C resolution 1617 (LI). G A resolution 2952 (XXVII). See also G A resolutions 3087 (XXVIII) and 3306 (XXIX). E S C resolution 1909 (LVII).
[227]G A resolution 2823 (XXVI).
[228]G A resolution 3362 (S-VII), IV.
[229]Ibid.
[230]G A resolutions 2823 (XXVI) and 31/162.
[231]G A resolutions 2971 (XXVII) and 31/162.
[232]G A resolution 31/163.
[233]G A resolution 2953 (XXVII).
[234]G A resolutions 3086 (XXVIII) and 3307 (XXIX).
[235]See *Repertory Supplement No. 4*, vol. II, under Article 55, paras. 51-53.
[236]G A resolutions 2626 C (XXV), paras. 53-54 and 3202 (S-VI), I(4).
[237]E S C (48), Suppl. 1, E/4832/Add.1 and Corr.1, p. 17.

governmental preparatory group" to prepare a preliminary draft convention on international intermodal transport.[238]

66. The General Assembly adopted decisions drawing attention to the special needs of developing island[239] and land-locked developing[240] countries for assistance in offsetting their transportation and transit costs and the development, improvement and maintenance of their transport and communications infrastructure. At its thirty-second session, the Assembly endorsed the recommendation of the Economic Commission for Africa and proclaimed a Transport and Communications Decade in Africa during the years 1978-1988 to give active support and resources for implementation of a global strategy in this field for Africa.[241] Regarding the coordination of assistance in emergency situations, the Economic and Social Council adopted decisions addressed to donor and recipient Governments and the United Nations Disaster Relief Coordinator regarding transport and communications aspects of relief.[242]

5. Decisions Regarding Rational Use of Natural Resources and the Human Environment

a. *Natural resources*

67. As in past years,[243] the General Assembly and the Economic and Social Council continuously affirmed the right of peoples and nations to the exercise of permanent sovereignty over their natural wealth and resources,[244] calling upon Governments and international organizations concerned "to refrain from any action which may detract from the exercise by other States of permanent sovereignty over their natural resources".[245] At its twenty-seventh session, the Assembly emphasized that in the exploration, exploitation and development of their natural resources, States must not produce significant harmful effects in zones situated outside their national jurisdiction.[246]

68. At its forty-ninth session, the Economic and Social Council decided to dissolve the Ad Hoc Committee on the Survey Programme for the Development of Natural Resources and to establish a standing Committee on Natural Resources which would serve to assist the Council in United Nations programming and implementation activities in the field.[247] By its resolution 1572 (L), the Council took note of the report of the Committee on its first session, approved the establishment of special natural resources advisory services and endorsed the Committee's decision to establish an intergovernmental working group to consider the establishment of a revolving fund for natural resources exploration.[248] At its fifty-second session, the Council approved the guidelines for action in the development of natural resources with particular emphasis on the development of water, energy and mineral resources. The Programme of Action on the Establishment of a New International Economic Order included the promotion of international cooperation in research and development in exploration and exploitation, conservation and the legitimate utilization of natural resources and all sources of energy.[249]

b. *Protection and preservation of the human environment*

69. The General Assembly and the Economic and Social Council continued to adopt decisions dealing with problems of the human environment, with particular emphasis on the environment in the context of social and economic development. The General Assembly, at its twenty-eighth session, recognized that "concern for protection and preservation of the human environment [was] among the emerging preoccupations and new concepts affecting the development process of developing countries."[250] In that vein, both the Council and the Assembly adopted decisions to encourage environmental protection.[251] The Charter of Economic Rights and Duties of States articulated several provisions placing responsibility for the protection and enhancement of the environment on all States; in conformity with that responsibility, each State would establish its own environmental policies, without adversely affecting the development potential of developing countries.[252]

70. The General Assembly made recommendations regarding international cooperation in this field. At its twenty-seventh session, the Assembly took note with satisfaction of the report of the United Nations Conference on the Human Environment, held at Stockholm in 1972, drew the attention of Governments to the Declaration of the United Nations Conference on the Human Environment and the Action Plan of the Conference and created the institutional arrangements within the United Nations system for the protection and improvement of the environment, including the Governing Council and Director-General of the United Nations Environment Programme.[253] The Charter of Economic Rights and Duties of States articulated the responsibility to ensure that activities within their jurisdiction or control did not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction. The Assembly stated that the establishment of adequate international standards and norms for preserving and exploiting natural resources and a system of information and prior consultation within the framework of normal relations among States was required for effective international cooperation in the field of shared natural resources.[254]

71. During the period under review, the General Assembly made recommendations to the Governing Council and

[238] E S C resolution 1734 (LIV).
[239] G A resolutions 3202 (S-VI), I (4)(e), 3338 (XXIX), 31/156 and 32/185.
[240] G A resolutions 2971 (XXVII), 3202 (S-VI), I(4)(e) and X, para. 3(l), 3311 (XXIX), 31/157 and 32/191.
[241] G A resolution 32/160. See also G A resolution 33/197 and E S C resolution 1978/59.
[242] E S C resolutions 1612 (Ll) and 1833 (LVI) and G A resolutions 3054 (XXVIII) and 32/159.
[243] See *Repertory, Supplement No. 4,* vol. II, under Article 55, para. 40.
[244] See E S C resolution 1737; G A resolutions 2692 (XXV), 2849, 3016 (XXVII) 3273 (XXIX), 3201 para. 4 (S-VI), 3202, I(1)(a) and (b) and VIII(S-VI) (S-VI), 31/186 and 33/144.
[245] G A resolution 2771 (XXVI) and E S C resolution 1737 (LIV).
[246] G A resolution 2995 (XXVII).
[247] E S C 1535 (XLIX).
[248] E S C resolution 1572 (L).
[249] G A resolution 3202 (S-VI), IV, para 1(e).
[250] G A resolution 3176 (XXVIII), para. 4. See also G A resolution 3517 (XIX), para. 67, E S C resolution 2013 (LXI) and G A resolution 31/111.
[251] G A resolution 3517 (XIX), para. 67.
[252] G A resolution 3281 (XXIX), article 30.
[253] See analytical summary for this Article, section 2 (d).
[254] G A resolutions 3129 (XXVIII); 3281 (XXIX), articles 3 and 30.

the Executive Director of UNEP. At its twenty-ninth session, the Assembly requested the Executive Director of UNEP to prepare a series of reports for submission to the Governing Council, including a report on the environmental impact of the irrational and wasteful use of natural resources, and a preliminary report on the legal aspects to which the organizations in the United Nations system had given attention.[255] Also, the Assembly requested the Executive Director of UNEP to accelerate consultations with the World Meteorological Organizations to formulate general principles and operative guidelines on studies for anthropogenic weather modification and related environmental phenomena, and to report to the Governing Council on the subject at its fourth session.[256] The Assembly requested the Governing Council of UNEP to undertake a study of the problem of the material remnants of war, particularly landmines, and their effect on the environment.[257] At its twenty-eighth session, the General Assembly requested the Governing Council of the United Nations Environment Programme to continue monitoring the question of the environmental protection of the seas and oceans, particularly living resources.[258]

72. Both organs took decisions regarding specific areas in the field of the human environment, including measures for international cooperation for strengthening the marine environment,[259] and water resources,[260] the research development of new, alternative and renewable sources of energy,[261] and the convening of a United Nations Conference on New and Renewable Sources of Energy in 1981.[262] The General Assembly adopted a number of decisions regarding human settlements,[263] the economic and social situation in the Sudano-Sahelian region stricken by drought and the problem of desertification generally.[264] The General Assembly and the Economic and Social Council considered the question of climate and its effect on the environment.[265]

6. Decisions with Regard to the Least Developed Countries

73. During the period under review, the General Assembly and the Economic and Social Council emphasized the need for Member States, international organizations and the specialized agencies in and outside of the United Nations system to take special measures in favour of the least developed among the developing countries.[266] The Assembly requested the Council to instruct the Committee for Development Planning, in collaboration with the United Nations Conference on Trade and Development, to review and refine the criteria used for the identification of the hard-core least developed among the developing countries."[267] Both the International Development Strategy[268] and the Declaration and Programme of Action on the Establishment of a New International Economic Order[269] devoted attention to the adoption of special measures in favour of the least developed countries.

74. The General Assembly, noting the lack of implementation of measures within the International Development Strategy in favour of the least developed countries in several fields, urged Member States and the organizations of the United Nations system to intensify urgently their efforts in favour of the least developed countries.[270] At its fifty-fourth session, the Economic and Social Council invited the World Bank Group to submit a written report to the Secretary-General and the Council detailing the various special measures taken over the period 1971-1973 to improve capital and technical assistance in this area.[271] At its twenty-sixth session, the Assembly expressed its satisfaction at the initiative taken by the Council to ensure that special attention should be given by the Administrator of UNDP to requests for assistance made in the field of industrial development by the least developed countries.[272]

75. Specific measures envisioned or encouraged by the decisions included measures to increase the import and export capability of the least developed countries,[273] to give priority to the least developed countries in the availability of loans for development purposes,[274] the recognition of the need to reorient the United Nations Capital Development Fund as a capital-providing fund primarily for the least developed countries,[275] the decision by the General Assembly and the Economic and Social Council to consider the question of a special development fund for the least developed countries,[276] the recommendation that the multilateral trade negotiations should secure significant concessions for the products of particular interest to the least developed countries and negotiations[277] for immediate and generalized debt relief.[278]

7. Decisions with Regard to International Trade

76. During the period under review, the General Assembly and the Economic and Social Council continued to adopt decisions with regard to international trade.[279] The Assembly adopted a number of policy measures in the field for the Second United Nations Development Decade.[280] Over the reporting period, the General Assembly regularly

[255]G A resolution 3326 (XXIX); see also resolution 3436 (XXX).
[256]G A resolution 3326 (XXIX).
[257]G A resolution 3435 (XXIX).
[258]G A resolution 3133 (XXVIII).
[259]See, e.g., G A resolutions 2849 (XXVI), 33/148; E S C resolutions 1537 (XLIX), 1802 (LV), 1954 (LIV), 1970 (LIX), 2099 (LXIII) and 1978/61.
[260]G A resolutions 3513 (XXX) and 32/158; E S C resolutions 1979 (LIX), 2115 (LXIII) and 2121 (LXIII).
[261]See E S C resolutions 1572 (L), 1954 (LIV), 2031 (LXI), 2119 (LXIII), 1978/61.
[262]G A resolution 33/148.
[263]See sect. 1(l) above.
[264]G A resolutions 3054 (XXVIII) and 3337 (XXIX). See Analytical Summary for this Article, section 2 e.
[265]E S C resolution 1978/45.
[266]*See, e.g.*, G A resolutions 3036(XXVII), 3174(XXVIII), 3176(XXVIII), 3214(XXIX), 32/190(XXXII), 33/149(XXXIII) and E S C resolutions 1710(LIII), 1753(LIV), 1754(LIV) and 2124(LXIII).
[267]G A resolution 2768(XXVI).
[268]G A resolution 2626(XXV).
[269]G A resolutions 3201 (S-VI) and 3202 (S-VI).
[270]G A resolution 3214(XXIX).
[271]E S C resolution 1754(LIV).
[272]E S C resolution 1617(LI).
[273]G A resolution 3202(S-VI).
[274]G A resolution 3202(S-VI).
[275]G A resolution 3122(XXVIII). See also, G A resolution 3249 (XXIX) and E S C resolutions 1710(LIII) and 1753(LIV).
[276]G A resolution 3174(XXVIII); E S C resolution 1710(LIII).
[277]G A resolution 3040(XXVII).
[278]G A resolutions 3202 (S-VI) and 31/158 (XXXI).
[279]See *Repertory Supplement No. 4*, vol. II, under Article 55, paras. 46-49.
[280]G A resolution 2626 (XXV), C, 1.

convened sessions of UNCTAD,[281] adopted several resolutions taking note of the Conference's reports[282] and endorsed several Conference resolutions.[283]

77. Subsequent decisions, including those encompassing the biennial and mid-term review of the Strategy,[284] addressed many of those issues integrated into the Strategy, including: (a) those regarding the conclusion of international agreements on commodities;[285] (b) resources for the pre-financing of buffer stocks while concluding commodity agreements;[286] (c) general principles on pricing policy with particular attention to securing stable, remunerative and equitable prices to increase foreign exchange earnings from exports of primary products of developing countries;[287] (d) reduction and elimination of tariff and non-tariff barriers including duties and other barriers to imports of primary products; (e) the establishment of generalized, non-discriminatory, non-reciprocal preferential treatment of exports of developing countries in developed country markets;[288] (f) trade promotion and expansion and diversification of export trade of developing countries;[289] (g) research and development to improve market conditions and cost efficiency;[290] (h) coordinated action to resolve problems of international trade and full participation by developing countries in trade negotiations and trade growth;[291] (i) elimination of restrictive business practices affecting trade and development;[292] and (j) regional and subregional measures by developing countries to expand trade.[293]

78. The General Assembly adopted a number of decisions to encourage and support agreements in various international forums in the field of trade. The Assembly expressed concern over the limited nature of agreements reached within UNCTAD[294] and requested that the Trade and Development Board draw the attention of the Conference to the importance of seeking new areas of agreement, and of widening existing areas.[295] At its twenty-eighth session, the Assembly noted its expectation that the objectives of comprehensive multilateral trade negotiations within the framework of the General Agreement on Tariffs and Trade would include non-reciprocity and special, more favourable treatment through differential measures for developing countries.[296] At its twenty-seventh session, the Assembly recommended a set of guidelines to the Contracting Parties to the General Agreement on Tariffs and Trade in multilateral trade negotiations. The Assembly recommended that the negotiations should secure significant concessions for the primary commodities for the least developed among the developing countries and for the landlocked developing countries.[297]

79. With regard to the problem of world inflation, the General Assembly requested the establishment of a group of high-level experts to study the problem.[298] At its thirty-third session, the Assembly, taking note of the report of the Group of Experts and the comments of the Trade and Development Board, requested UNCTAD to recommend international policy measures to address the problem, taking into account the conclusions in the report.[299] The Assembly welcomed the establishment of an Ad Hoc Intergovernmental Committee for the Integrated Programme for Commodities.[300] At its thirty-third session, the Assembly requested all participating countries at the United Nations Negotiating Conference on a Common Fund under the Integrated Programme for Commodities to exert all efforts to reach agreement on the basic aspects of the Fund.[301]

80. Both the General Assembly and the Economic and Social Council continued to make arrangements for the transfer of technology to developing countries.[302] The International Development Strategy called for a programme for technology transfer to be elaborated by developed and developing countries and competent international organizations.[303] The Assembly recommended that "UNCTAD, UNIDO and other appropriate organizations continue and intensify their efforts for the transfer of operative technology to the developing countries, including assistance for the promotion of indigenous technology."[304] At the same session, the Assembly endorsed the resolution of the Trade and Development Board establishing the Intergovernmental Group on Transfer of Technology of the United Nations Conference on Trade and Development.[305] The Assembly urged international financing organizations and programmes to provide economic assistance for technology transfer, taking into account the costs associated with such transfers.[306] The Assembly, in the Declaration and Programme on the Establishment of a New International Economic Order, called for the formulation of an international code of conduct for technology transfer, the adaptation of commercial practices regarding transfer of technology to the needs of developing countries and the prevention of abuse of the rights of sellers.[307]

81. The General Assembly and the Economic and Social Council both took decisions, addressed to the Secretary-General, the Executive Director of UNIDO, UNCTAD, the Advisory Committee on the Application of Science and Technology to Development and the

[281] G A resolutions 2725 (XXV), 3216 (XXIX) and 32/189.
[282] G A resolutions 2725 (XXV), 3040 (XXVII) and 31/159.
[283] G A resolutions 3040 (XXVII) and 31/159.
[284] G A resolutions 3176 (XXVIII), 3517 (XXX), III, IV.
[285] G A resolutions 2820 (XXVI), 3176 (XXVIII), paras. 25(b) and 50, 3202 (S-VI), I, 3(a)(iii), and 33/156.
[286] G A resolutions 2626 (XXV), 3202 (S-VI), I, 3(a)(xi), and 3362 (S-VII), para. 3(a) and (b).
[287] G A resolutions 3041 (XXVII), 3085 (XXVIII), 3176 (XXVIII), para. 25(b), 3202 (S-VI), I, 3(a)(viii), and 3308 (XXIX).
[288] G A resolutions 2820 (XXVI), 3040 (XXVII), 3176 (XVIII), paras. 25(c), (d) and (f), 51, 51 and 53, 3202 (XXIX), I, 3(a)(ii) and (x), 3347 (XXIX), 3362 (S-VII), paras. 8, 9.
[289] G A resolutions 3041 (XXVII), 3085 (XXVIII) and 3362 (S-VII), I, paras. 1 and 2.
[290] G A resolution 2820 (XXVI).
[291] G A resolutions 3040 (XXVII), 3041 (XXVII), 3308 (XXIX); E S C resolution 1722 (LIII).
[292] E S C resolution 1721 (LIII); G A resolutions 3201 (S-VI) and 3362 (S-VII), para. 10.
[293] G A resolution 3176 (VIII), para. 22.
[294] G A resolution 31/178. See also G A resolution 33/154.
[295] G A resolution 2725 (XXVI).
[296] G A resolution 3085 (XXVIII).
[297] G A resolution 3040 (XXVII).
[298] G A resolution 32/175.
[299] G A resolution 33/155.
[300] G A resolution 31/159.
[301] G A resolution 33/158.
[302] See *Repertory, Supplement No. 4*, vol. II, under Article 55, para. 22. See also G A resolutions 2692 (XXV), 3041 (XXVII), 3176 (S-VIII), paras. 31 and 63, 3345 (XXIX), 3362 (S-VII), III, para. 3; E S C resolutions 1621 (LI), 1808 (LV) and 1637 (LI).
[303] G A resolution 2626 (XXV), para. 64.
[304] G A resolutions 2658 (XXV) and 2821 (XXVI).
[305] G A resolution 2726 (XXV).
[306] G A resolution 2821 (XXVI).
[307] G A resolution 3201 (S-VI), para. 4(p) and 3202 (S-VI), IV.

Inter-Agency Task Force on Information Exchange and the Transfer of Technology,[308] to study and take measures to establish an international information exchange system for technology transfer and assessment.[309] At its thirty-first session, the Assembly endorsed the resolution of UNCTAD regarding the establishment of an intergovernmental group of experts for the purpose of drafting an international code of conduct on technology transfer, and decided to convene a United Nations Conference, under the auspices of UNCTAD, for that purpose.[310]

8. Decisions with Regard to Social Development and Policies[311]

82. During the period under review, both the General Assembly and the Economic and Social Council endorsed the need for a unified approach to development integrating the economic approach with the social approach.[312] Accordingly, many decisions of both bodies in the field of social policy contained provisions touching on such economic aspects of social development as unemployment and standards of living, trade and the world monetary situation, together with issues such as the advancement of women, improvement in international political relations, science and technology, youth and child/family welfare services.[313] At its sixty-second session, the Council recommended that its President appoint an ad hoc working group of experts to study the operational effectiveness of social development activities within the United Nations, the effectiveness of United Nations coordination machinery and the future role of the social development component within the Organization.[314]

83. The Economic and Social Council continued to invite the subsidiary bodies and specialized agencies of the United Nations to provide technical and financial cooperation necessary to assist Member States in implementing social development programmes.[315] The Secretary-General was requested to lend support in a number of functions, including the elaboration and submission of questionnaires to Member States to solicit their input regarding their experience in achieving far-reaching social and economic changes for the purposes of social progress,[316] the preparation of a survey of training issues related to social welfare objectives[317] and the preparation of a statement of principles embodied in instruments adopted by the United Nations concerning migrant workers and their families.[318] The General Assembly and the Council made recommendations to governments regarding the improvement of data collection, analysis and reporting in the social field[319] and training for social development.[320]

84. The Economic and Social Council and the General Assembly both continued to adopt decisions regarding rural and urban policies,[321] as well as housing and human settlements. Both organs also continued to adopt decisions affecting the United Nations Children's Fund:[322] at its thirtieth session, the Assembly endorsed the proposals to expand basic services for children, set forth by the Executive Board of UNICEF, in the fields of maternal and child health, nutrition, water supply, basic education and support services for women.[323] At its fifty-third session, the Council noted the role of children in sustainable development and commended UNICEF for its new guidelines for assistance to education, prepared in association with UNESCO, calling for greater concentration on educationally deprived children.[324]

85. During the period under review, the General Assembly adopted several decisions regarding child welfare, including those pertaining to the International Year of the Child[325] and those regarding the problem of protection for children born out of wedlock,[326] the need to prevent and eliminate suffering among children[327] and the question of a declaration on principles of good adoption practice.[328]

86. Both the General Assembly and the Economic and Social Council adopted decisions to promote favourable conditions for youth and their role in society, urging Member States to increase opportunities for youth to participate in all aspects of national and international life, and calling on the competent bodies of the United Nations, and on international, regional and non-governmental organizations to review and expand their policies and programmes for youth, both in rural and urban areas, to enable them to meet the needs of youth.[329] At its sixty-second session, the Economic and Social Council requested the Secretary-General to establish an inter-agency task force to establish a coordinated and practical approach to youth policies and programmes, and recommended that the General Assembly adopt the guidelines for the improvement of the channels of communication between the United Nations and youth organizations.[330] At its twenty-fifth session, the Assembly established the United Nations Volunteers programme, in part as a major operational unit of the United Nations for the execution of youth programmes and to increase the participation of youth in development activities.[331] The Assembly, at its thirty-third session, decided to proclaim an International Youth Year.[332]

87. The General Assembly made various recommendations to Governments and requests of the Secretary-General for assistance regarding the need to develop policies and programmes for the elderly and the aged as an impor-

[308]Established by G A resolution 3507 (XXX).
[309]G A resolutions 3507 (XXX) and 31/182; E S C resolution 1902 (LVII) and decision 171 (LXI).
[310]G A resolutions 31/159 and 32/188.
[311]See *Repertory Supplement No. 4*, vol. II, under Article 55, paras. 63-77.
[312]E S C resolution 1494 (XLVII).
[313]See, e.g., G A resolution 2771 (XXVI).
[314]E S C resolution 2079 (LXII).
[315]E S C resolutions 1492 (XLVII) and 2845 (LXIII).
[316]E S C resolutions 1581 (L) and 1667 (LII).
[317]E S C resolution 2082 (LXII).
[318]E S C resolution 1926 (LXII).
[319]E S C resolutions 1581 (XLVIII) and 1841 (LVI).
[320]E S C resolution 2080 (LXII).
[321]See, e.g., G A resolutions 2999 (XXVII), 3122 (XXVIII) and 3176 (XXVIII). E S C resolution 1808 (LV).
[322]See, e.g., G A resolutions 2855 (XXVI), 3250 (XXIX) and 3408 (XXX); E S C resolutions 1619 (LI).1709 (LIII), 1880 (LVII), 2021 (LXI) and 2022 (LXI).
[323]G A resolutions 3408 (XXX), 31/167 and 31/168. See also E S C resolution 2109 (LXIII).
[324]E S C resolution 1709 (LIII).
[325]G A resolutions 3406 (XXX), 31/169, 32/109 and 33/83. See also E S C resolution 1962 (LIX).
[326]E S C resolution 1493 (XLVIII) and 1514 (XLVIII).
[327]E S C resolution 1493 (XLVIII).
[328]E S C resolution 1925 (LVIII).
[329]G A resolution 3140 (XXVIII). E S C resolution 1709 (LIII).
[330]E S C resolution 2078 (LXII).
[331]G A resolution 31/131. See also G A resolutions 2659 (XXV), 3125 (XXVIII) and 3140; E S C resolutions 1923 (LVIII) and 1966 (LIX). See analytical summary, sect. 2 (g).
[332]G A resolution 33/7.

tant part of comprehensive plans for economic and social development.[333] It was recommended that such policies and programmes take appropriate action on welfare, health, social security, economic independence and social integration.[334] During its thirty-third session, the Assembly decided to organize, in consultation with Member States, specialized agencies and concerned organizations, a World Assembly on the Elderly in 1982 as a forum to launch an international action programme aimed at guaranteeing economic and social security to older persons.[335]

88. At its thirtieth session, the General Assembly, proclaimed the Declaration on the Rights of Disabled Persons and called for national and international action to ensure that it was used as a common frame of reference.[336] During its fifty-eighth session, the Economic and Social Council stated that the problem of disability formed an appreciable part of the economic and social condition of every country and made recommendations concerning programmes to prevent disability and to rehabilitate the disabled as part of comprehensive plans for economic and social development, including an evaluation of existing national services, legislative measures, education, training and vocational guidance.[337]

89. In the field of narcotics control, both the General Assembly and the Economic and Social Council made a number of recommendations urging continued enforcement and measures to combat the problem, as well as bilateral, regional and international coordination and exchange of information concerning illicit trafficking of narcotics.[338] The Assembly and the Council adopted decisions regarding certain particular illegal substances,[339] youth and dependence producing drugs,[340] and region-specific problems of narcotics control.[341] Regarding the latter, the Assembly considered the problem in developing countries and recognized that, insofar as narcotic drugs could be a principal means of livelihood, the Assembly urged all States to contribute to the United Nations Fund for Drug Abuse Control and provide technical and financial assistance to the narcotics control and agricultural substitution programmes of the developing countries.[342] The Council and the Assembly adopted decisions to promote the acceptance of the 1971 Convention on Psychotropic Substances,[343] called a conference of plenipotentiaries to consider proposed amendments to the 1961 Single Convention on Narcotic Drugs,[344] and convened a Conference for the adoption of a protocol on psychotropic substances.[345]

90. As in the past, the General Assembly and the Economic and Social Council adopted a number of decisions in the field of crime prevention and the treatment of offenders.[346] The Assembly endorsed the conclusions and recognized the importance of the Declaration unanimously adopted by the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Kyoto in 1970, underscoring the need to strengthen international cooperation for crime prevention.[347] At its fiftieth session, the Council requested the Secretary-General to implement the recommendations of the Congress by intensifying international efforts to advance knowledge, exchange experience and develop policy in crime prevention.[348] The Council further requested the Secretary-General to assist Governments in improving the quality of their crime prevention work.[349] The Assembly requested that the Secretary-General ascertain from Member States their views concerning the advisability of holding an international conference to review problems and identify methods of crime prevention and control at the international level.[350] It instructed the Committee on Crime Prevention and Control to submit a report to the Assembly through the Council on effective methods of preventing crime and improving the treatment of offenders.[351]

9. Decisions with Regard to Transnational Corporations

91. During the period under review, several references were made relating to the issue of transnational corporations by both the General Assembly and the Economic and Social Council.[352] The Council called for a study of the role of transnational corporations on the development process, and noted the decision of UNCTAD to establish an Ad Hoc Group of Experts on Restrictive Business Practices for that purpose.[353] The Council established a Commission on Transnational Corporations to assist it in dealing with the issue of transnational corporations, and an Information and Research Centre on Transnational Corporations.[354] The Secretary-General was requested to coordinate the work of the Centre with those of other organizations and agencies of the United Nations system.[355]

10. Decisions with Regard to Public Awareness

92. During the period under review, both the General Assembly and the Economic and Social Council referred to the need for strengthening public awareness of several areas of United Nations initiatives,[356] including development, children, and science and technology. At its fifty-fifth session, the Economic and Social Council re-

[333] G A resolution 32/131.
[334] G A resolutions 3137 (XXVIII) and 32/131. Regarding decisions of the Council, see E S C resolution 1751 (LIV).
[335] G A resolution 33/52.
[336] G A resolution 3447 (XXX).
[337] E S C resolution 1921 (LVIII).
[338] G A resolutions 3279 (XXIX) and 32/126; E S C resolutions 1662 (LII), 1844 (LVI), 1932 (LVIII), 1934 (LVIII), 2002 (LX) and 1978/10.
[339] G A resolution 3279 (XXIX); E S C resolutions 1657 (LII), 1659 (LII), 1933 (LVIII), 1846 (LVI) and 2067 (LXII).
[340] G A resolution 2859 (XXVI).
[341] E S C resolutions 1845 (LVI), 1846 (LVI) and 2065 (LXII).
[342] G A resolutions 3145 (XXVIII) and 3146 (XXVIII). E S C resolution 2066 (LXII).
[343] G A resolutions 31/125 and 33/168; E S C resolution 1576 (L). See also G A resolution 3013 (XXVII).
[344] E S C resolution 1577 (L).
[345] E S C resolutions 1474 (XLVIII) and 1576 (L).
[346] G A resolutions 415 (V), 2843 (XXVI), 3021 (XXVII) and 32/60; E S C resolution 1584 (L).
[347] G A resolutions 2843 (XXVI) and 3021 (XXVII).
[348] E S C resolution 1584 (L).
[349] E S C resolutions 1584 (L) and 1579 (L).
[350] G A resolution 3021 (XXVII).
[351] G A resolution 3021 (XXVII). E S C resolution 2075 (LXII).
[352] See, e.g., G A resolutions 3201(S-VI), 3202(S-VI), 3343(XXIX), 3273(XXIX), 31/159(XXXI), 33/153 and E S C resolutions 1721(LIII), 1805(LV), 1908(LVII), 1913(LVII), 2122(LXIII) and 1978/71.
[353] E S C resolution 1721(LIII).
[354] E S C resolution 1908(LVII).
[355] E S C resolution 1913(LVII).
[356] See, e.g., G A resolutions 3176(XXVIII), 3281(XXIX), 3406(XXX), 3434(XXX), 3486(XXX), 3517(XXX), 31/169(XXXI), 31/179 and E S C resolutions 1805(LV), 1806(LV), 1823(LV), 1842(LVI), 1899(LVII) and 1962(LIX).

quested Governments and the organizations of the United Nations system, to make efforts to inform public opinion about development programmes. The Assembly requested the Secretary-General to investigate the possibilities of making use of modern techniques of information in the mobilization of public opinion in favour of the objectives and measures established in the International Development Strategy.[357] The Council requested public support in the field of the transfer of science and technology[358] and urged Governments and the organizations concerned within the United Nations system to utilize the mass media to effectuate "a wide exposure of the World Plan of Action for the Application of Science and Technology to Development".[359]

93. Both the General Assembly and the Economic and Social Council expressed their belief in the fact that ". . . much greater awareness on the part of the international community of the situation of children would contribute significantly to the efforts being made to meeting their needs . . ."[360] and ". . . lead to appropriate action . . ."[361] by deciding to state as a general objective of the International Year of the Child (1979): "To provide a framework for advocacy on behalf of children and for enhancing the awareness of the special needs of children on the part of decision makers and the public."[362]

[357]G A resolution 2626(XXV). See also G A resolution 3517(XXX).
[358]E S C resolution 1823(LVII).
[359]E S C resolution 1899(LVII).
[360]G A resolution 3406(XXX).
[361]E S C resolution 1962(LIX).
[362]G A resolution 31/169(XXXI).

B. ANALYTICAL SUMMARY

1. General Remarks

94. The aim of this analytical summary is to provide an understanding of the role of the General Assembly, the Economic and Social Council and the Secretary-General in promoting the goals of Article 55 (a) and (b) during the period under review. Thus, in contrast to past supplements to the *Repertory*, this section examines the procedural development of various relevant agenda items considered by the principal organs of the United Nations during the reporting period. It should be noted that, owing to the broad scope of the work of the United Nations in the fields covered by Article 55 (a) and (b), the summary presents only illustrative examples of practice.

2. The Role of the Principal Organs of the United Nations in Respect of Promoting Economic and Social Development and Solutions of International Economic, Social, Health and Related Problems

a. *International Development Strategy for the Second United Nations Development Decade*

95. By its resolution 1152 (XLI) of 4 August 1966, the Economic and Social Council, on the recommendation of the Administrative Committee on Coordination,[363] had requested the Secretary-General to consult with all the organizations of the United Nations system and in particular with the Committee for Development Planning, and consider the preparations required to facilitate planning for concerted international action for the period after the Development Decade. Endorsing the Council's request, the General Assembly requested the Secretary-General to prepare the preliminary framework for an international development strategy for the 1970s, including the elaboration of specific goals and targets for individual sectors and components, for submission to the Assembly at its twenty-third session.[364] Preliminary work for the elaboration of the strategy continued through the end of the 1960s, encompassing the efforts of the Secretary-General, the Committee for Development Planning, the Council's Economic Committee, the Committee for Programme and Coordination and the subsidiary organs and specialized agencies.[365] A number of papers dealing with such topics as agriculture, employment, education, health and communications were submitted by various bodies and organizations of the United Nations system.[366]

96. The International Development Strategy was primarily elaborated by the Committee for Development Planning, the Preparatory Committee for the Second United Nations Development Decade,[367] and the Secretariat, together with important contributions from the United Nations Conference on Trade and Development. Substantive contributions were also submitted by the Population Commission[368] and the Commission for Social Development.[369]

97. The Preparatory Committee for the Second United Nations Development Decade was established in accordance with General Assembly resolution 2411 (XXIII) and Economic and Social Council resolution 1388 (XLV) in order to draft an international development strategy articulating within a comprehensive, coherent and integrated

[363]E/4254.
[364]G A resolution 2218 B (XXI).
[365]G A resolution 2411 (XXIII).
[366]These areas included: production and supply of goods and services, consumption and human welfare, investment and the capacity of the economy to produce goods for future consumption and maintaining economic balance, and the external environment. G A (25), Suppl. No. 1, A/8001, p. 128.
[367]The Preparatory Committee was established pursuant to an enlargement of the Council's Economic Committee to include 27 additional representatives from Member States, as well as members of the specialized agencies and of IAEA, for the duration of the completion of the Strategy, reporting to the Assembly through the Council. Regarding the Strategy, the Economic Committee hitherto had functioned as the body charged with consideration of the preliminary outline for international development policy based on the comments of Member states and United Nations organizations, advising the Committee for Development Planning.
[368]E S C (48) Suppl. No. 3, E/4768, part XII. Compare with A/C.2/L.1109, p. 2.
[369]E S C (48) Suppl. No. 7, E/4809.

framework the goals, objectives, and concerted policy measures. Over the course of its first four sessions,[370] the Preparatory Committee had held preliminary discussions on a number of substantive aspects of a draft strategy, including indicative targets for overall and per capita growth rates as well as targets for different economic sectors and social development.[371] The Committee agreed on the components of the draft strategy: (a) a preambular declaration; (b) specification of objectives; (c) policy measures to fulfil the objectives of the Decade; (d) review and appraisal of both objectives and policies; and (e) mobilization of public opinion.[372] The Committee also reached agreement on a non-exhaustive list of key areas and elements for international cooperation during the Decade and initiated its discussion into policy measures for each.[373] The Committee had agreed that the objective during the Decade should be to promote sustained growth, especially in developing countries, leading to "higher standards of living, full employment and conditions of economic and social progress and development" (Article 55 of the Charter).[374] At its fourth session, the Committee had decided to set up a small working group to draw up and submit a draft preamble for the international development strategy, reflecting the views expressed during the discussion.[375] Finally, the Committee reached agreement on the specification of objectives.[376]

98. At its sixth session, the Council's Committee for Development Planning re-examined, in the light of Economic and Social Council resolution 1447 (XLVII) of 5 August 1969 and General Assembly resolution 2571 (XXIV), its provisional recommendations relating to the Second Decade.[377] The Committee concluded that a General Declaration of Intent and Commitments should be adopted by the General Assembly at the time of the launching of the Second Decade, proclaiming a universal interest in more rapid progress and enunciating various commitments to be adopted by developed and developing countries.[378] The Committee also presented an analysis of national and international means and measures to implement the International Development Strategy, and made recommendations regarding a target expansion by developed market economies in net transfer of financial resources, the regulation within five to 10 years of unstable markets in international trade by commodity agreements or otherwise, the elimination of protectionist policies in developed countries with regard to trade in other products of developing countries and the intensification of technical assistance and the application of science and technology for developing countries. With regard to review and appraisal mechanisms, the Committee for Development Planning indicated, in addition to evaluation mechanisms at the national and international levels, the need for independent appraisals prepared by an expert group appointed by the Secretary-General of the United Nations, not representing either Governments or institutions, to examine and report on policies, performance and planning machinery regarding the goals of the Decade.[379]

99. At its fifth session, the Preparatory Committee had before it the reports and studies relating to the question of the Second Decade and the manner of preparing for it. The Committee established a working group to review the points already considered, to draft the section on policy measures and submit its final conclusions to the Committee in plenary. The Committee also reached tentative agreement on most points covered in the section on policy measures, with the proviso that they be understood in the light of intergovernmental agreements reached in the relevant bodies and organizations of the United Nations system.[380] Many of the measures which would be designed to fulfil the objectives of the Decade fell within the competence of UNCTAD and its Trade and Development Board; thus, the finalization of the work of UNCTAD was considered essential to the final shape of the draft strategy.[381] Nevertheless, the Board failed to reach agreement on issues relating to international trade and finance.[382] In addition, the Committee agreed on the review and appraisal of objectives and policies. The Committee discussed proposals regarding the arrangements for the launching of the Decade, whereby it was agreed that the proclamation of the Second United Nations Development Decade should be the focal point of the General Assembly's commemorative twenty-fifth session, and that the Chairman of the Committee should consult with the Secretary-General and bring the Committee's views to the attention of the Chairman of the Second Committee.[383]

100. At its sixth session, the Preparatory Committee finalized the draft International Development Strategy, primarily undertaking a final, paragraph-by-paragraph reading of the text. The draft consisted of five sections: a preamble, a specification of objectives, policy measures for achieving the specified objectives, arrangements for review and appraisal of objectives and policies, and mobilization of public opinion in support of the Strategy. The issue of targets for the Decade received a good deal of consideration, with a number of developed countries expressing their inability to accept the target figures and/or time limit for official transfers of resources to developing countries.[384] The Committee decided that those provisions would be left between brackets and the report would reflect delegations' positions.[385]

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[370] A/AC.141/SR.4-45, A/7525 and Add.1-3.
[371] A/7525/Add. 1, para. 10, Add.2, paras. 4-9, Add.3, paras. 5 and 6.
[372] A/7699, sec. II.
[373] A/7525/Add.2, paras. 10-14, and annex, paras. 13-17; E/AC.56/SR.2, pps. 15-6.
[374] A/7699, para. 12.
[375] A/AC.141/SR.34.
[376] A/7962, paras. 3-7
[377] E S C (49), Suppl. No. 7, E/4776, paras. 6 and 7.
[378] Ibid., para. 9.
[379] E S C (49), Suppl. No. 7, E/4776, para. 99.
[380] A/7962, paras. 12-13.
[381] During 1970, the contribution of the Trade and Development Board can be summarized as follows: on the basis of consultations with members of UNCTAD, the President of the Trade and Development Board and the Secretary-General of UNCTAD elaborated texts that were considered at the February 1970 session of the Board. The Board provided input in the areas of goals and objectives, implementation review and world public opinion, as well as policy measures. The Board did not agree on the issue of target dates, volume of financial transfers and shipping, but decided to adopt UNCTAD's contribution to the preparatory work as set out in the decision 64 (IX). At its ninth session, the Board adopted a text on shipping and ports but failed to reach agreement on the outstanding issues, and thus invited the Secretary-General of the UNCTAD to transmit the draft texts, together with suggestions by States members, to the Secretary-General of the United Nations for transmittal to the General Assembly at its twenty-fifth session.
[382] TD/B (IX)/MISC.15
[383] A/7962, paras. 12-13.
[384] G A (25) Prep. Comm., 56th mtg., pp. 2-8.
[385] G A (25) Prep. Comm., 56th mtg., p. 11.

101. The texts submitted by UNCTAD and the Trade and Development Board was often the subject of debate. For example, with regard to a paragraph on international liquidity left blank in the report of the Committee's fifth session, some delegations at the following session proposed that the Committee should bracket the language regarding the creation of a link between development finance and Special Drawing Rights proposed by the Group of 31 developing countries which were members of the Trade and Development Board and/or the text proposed by the President of the Board and Secretary-General of UNCTAD.[386] The Committee favoured a text reflecting the two positions.[387] A paragraph prohibiting the imposition of new tariff/non-tariff barriers on certain imports of interest to developing countries was made subject, in a footnote, to relevant provisions by UNCTAD at its first session. There was a wide measure of agreement to include a paragraph at the end of the section on policy measures which would provide for the consideration of agreements and decisions reached in the relevant intergovernmental bodies and organizations of the United Nations system in any interpretation required for the implementation of such measures.[388]

102. At its fifty-eighth meeting, the Preparatory Committee adopted the draft report, subject to reservations made by some delegations.[389] The portions of the draft finding no agreement within the Committee remained in square brackets or were left blank.[390]

103. Preparations for the International Development Strategy were also notable for the effort to promote social development for the Decade. At its twenty-first session, the Economic and Social Council's Commission for Social Development considered the report on the Meeting of Experts on Social Policy and Planning[391] and the conclusions thereof with regard to the Second Decade. The Group of Experts expressed the view that preparatory work for the Second Development Decade seemed to emphasize primarily production and other macro-aggregates which eclipsed other important issues of welfare; there was a need for a unified approach to development, with the inclusion of social equity and the participation of wide sectors of the population as its aims, according high priority to the development of human potential. There was a consensus in the Commission on the lack of a conceptual framework for development planning, and on the unrealistic practice of handling the social and economic aspects of development as separate phenomena;[392] measures to improve the situation, it was felt, nevertheless should not come at the expense of existing levels of economic aid.[393] For the preparations and future consideration of the Second Decade, the Commission decided to request the Secretary-General to forward the report of the experts group, other relevant documents, and the comments thereon of the members of the Commission, as well as the sections of the report of the Commission at the twenty-first session dealing with the Second Development Decade, to the appropriate bodies of the United Nations concerned with preparations for the Decade.[394]

104. On the recommendation of the Commission for Social Development, the Economic and Social Council endorsed the views of the experts and commended them for the consideration of those United Nations bodies engaged in preparatory work for the Second Decade. The Council requested the Secretary-General to coordinate the work undertaken on social indicators of development, to assist Governments in developing such indicators at the national or regional levels and to consult with heads of the specialized agencies on the further strengthening of interagency cooperation.[395] Also on the Commission's recommendation, the Council requested that the General Assembly include in its agenda the topic "The Second United Nations Development Decade: social policy and planning in national development." At its twenty-fifth session, the Assembly adopted resolution 2681 (XXV) on a unified approach to economic and social planning in national development, endorsing Council resolution 1494 (XLVIII).

105. At its forty-ninth session, the Economic and Social Council referred the item on the Second United Nations Development Decade to its Economic Committee,[396] which had before it the reports of the Preparatory Committee, the report of the Committee for Development Planning on its sixth session, the World Economic Survey, the report of the Chairman of CPC and the Chairman of ACC on their joint meetings, the report of the Group of Experts on Social Policy and Planning in National Development and the report of the Commission for Social Development on its twenty-first session, and two draft resolutions submitted by Member States. While the proposal that the Committee establish a working group to consider deficiencies and unresolved issues in the draft strategy found some support,[397] some delegations expressed concern regarding the group's terms of reference and preferred to discuss the draft in plenary and through informal discussions. A number of delegations questioned whether the mandate of General Assembly resolution 2411(XXIII) allowed the Council to reopen issues agreed upon the Preparatory Committee, while others stated that the Council had the right to reopen any issue referred to in the draft strategy.[398] Nevertheless, the Committee considered a number of issues left unresolved in previous forums. At its 513th meeting, the Committee temporarily suspended rule 44 of the rules of procedure to continue its deliberations on the item in a private meeting,[399] wherein the views expressed by the delegates generally reaffirmed the individual positions in the Trade and Development Board and in the Preparatory Committee.[400] No progress was made during the meetings.[401]

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[386]TD/B/299, annex I, appendix B,V.B, viii, and annex I, V.B. viii, respectively.
[387]G A (25) Prep. Comm., 57th mtg., pps. 12-14.
[388]A/7982, para. 10.
[389]G A (25) Prep. Comm., 58th mtg.; A/7982.
[390]A/7982, para. 5.
[391]Held in Stockholm in September 1969, the Meeting of Experts was convened by the Commission for Social Development at its twentieth session pursuant to the Council's requests in resolutions 1139 (XLI) and 1320 (XLIV) stressing the need for the balanced integration of social and economic factors in the promotion of better standards of life and in the planning of the Second Decade.
[392]See E S C (48), Suppl. No. 7, E/4809, para. 59.
[393]E S C (48), Suppl. No. 7, E/4809, para. 59.
[394]Ibid., paras. 171-72.
[395]E S C resolution 1494 (XLVIII). See also G A (25), Suppl. No. 3, A/8003, para. 12.
[396]See E S C (49) Economic Comm., 510-513, 516, 521 and 522 mtgs.
[397]E S C (49) Economic Com., 510 mtg., p. 20.
[398]Ibid., 510th mtg., p. 23, 511th mtg., pp. 29-31, 40.
[399]E/AC.6/L.415, para. 1.
[400]See E/AC.6/L.415, para. 4 and annex.
[401]E S C (49) Economic Comm., 516 mtg., p. 88.

106. In plenary,[402] delegates at the Economic and Social Council commented on the achievements and the shortcomings of the First United Nations Development Decade and recognized the importance of the Second Decade, as well as the significant achievement of the draft international development strategy submitted by the Preparatory Committee. It was felt by some delegates that the final document, though not legally binding, must be considered an expression of common will and consensus on essential points; the policy measures, in that vein, should constitute a set of political and moral commitments.[403] On the recommendation of the Economic Committee,[404] the Council adopted resolutions 1556 (XLIX) A and B of 31 July 1970, subject to the reservations and observations made during the debate. By A, the Council indicated a number of specific areas, mostly in the fields of international trade and aid, where agreement was required, and expressed its preference for the articulation of a time frame for implementing policy measures of the International Development Strategy. The Strategy, the Council considered, should deal with problems of development which might arise in the course of implementation of policy measures, as well as those already existing. The Council requested the Trade and Development Board to endeavour to reach agreement on outstanding issues within its competence regarding the Strategy, recommended that the General Assembly should arrange for the Second Committee to begin its work and take up the subject of an International Development Strategy as a matter of priority in the first week of its twenty-fifth session, and urged Governments to consider a high political level of representation at that session during the final phase of work. By resolution B, the Council expressed its readiness to assume responsibility for assisting the Assembly in the review and appraisal of progress in the implementation of the International Development Strategy, and decided to elaborate a detailed procedure for review in light of the relevant decisions of the Assembly at its twenty-first session.

107. At its twenty-fifth session, the General Assembly allocated to the Second Committee the agenda item entitled "Second United Nations Development Decade". The Committee discussed the item from its 1309th to 1315th meetings, deciding to consider the item at the outset of the session in order that the Committee might reach agreement on a draft proposal for submission to the Assembly in time to enable the Assembly to adopt and launch the Strategy at the conclusion of the session. At its 1311th meeting, the Committee considered an 89-Power draft proposal for an International Development Strategy.[405] Amendments to the draft proposal[406] were subsequently withdrawn. The Committee approved a revised 89-Power draft proposal at its 1314th meeting without a vote,[407] taking into account the formal joint and individual statements on the revised text made by a number of delegations.[408]

108. At its twenty-fifth session, the General Assembly, on the recommendation of the Second Committee, adopted resolution 2626 (XXV) of 24 October 1970 on an International Development Strategy for the Second United Nations Development Decade. The Strategy, while not explicitly citing Article 55(a) or (b), implicitly invoked the provision (as well as similar language found in the Charter preamble[409]) with language used in the first preambular paragraph:

> "On the threshold of the 1970s, Governments dedicate themselves anew to the fundamental objectives enshrined in the Charter of the United Nations ... to create conditions of stability and well-being and to ensure a minimum standard of living consistent with human dignity through economic and social progress and development."

109. In introducing the Second Committee's report on the international development strategy for the Second United Nations Development Decade, the Rapporteur characterized the Strategy as a concerted and convergent plan of action in global development and a blueprint for progress, justice and peace.[410] Many delegations viewed the strategy as the international community's first endeavour at development planning through concerted and coherent policy actions.[411] The view was also expressed that the plan subsumed the purposes and principles borne in the Charter: while international cooperation assumed world peace, national sovereignty and equality, these conditions themselves turned on the absence of deep economic inequalities among peoples.[412] Development problems . . . constituted a component part of the struggle for peace. As a matter of fact, the speedy and substantive solution of economic, social and cultural development problems would create a sound material basis for strengthening the independence of individual countries and peace and would contribute decisively to international security.[413]

110. The Strategy envisioned the promotion of economic and social progress within a broad-ranging concept of development.[414] General guidelines were included for the elaboration of special measures in favour of the least developed among the developing countries and of the land-locked developing countries during the Decade.[415] The approach was further elaborated within the overall objective for the Strategy, which recognized the need for qualitative and structural social change.[416] The Strategy established policy measures in each area to be implemented jointly and individually[417] and set out economic targets.[418]

111. It was noted that a cornerstone for the Strategy lay in the recognition of the need for policy implementation within the context of changing circumstances and developments.[419] Thus, the dynamic aspect of the Strategy would

[402]E S C (49), Plen. mtgs. 1697-1704, 1707, 1722.
[403]G A (25), Suppl. No. 3, A/8003, para. 11.
[404]E/4916, para. 11.
[405]A/C.2/L.1104.
[406]A/C.2/L.1104 and Corr.1, A/C.2/L.1107-L.1110.
[407]A/8124, paras. 1-10.
[408]Ibid., para. 4.

[409]Charter, preamble paras. 2, 4, 8: "[T]o reaffirm faith ... in the dignity ... of the human person ... and ... to promote social progress and better standards of life in larger freedom [by employing] international machinery for the promotion of the economic and social advancement of all peoples."
[410]G A resolution 2626 (XXV), B, para. 18; G A (25) plen., 1871st mtg., para. 10.
[411]G A (25) plen., 1871st mtg., paras. 47, 65, 120.
[412]G A (25), plen., 1871st mtg., paras. 86, 151.
[413]G A (25), plen., 1871st mtg., para. 197. G A (25) plen., 1859th mtg., para. 195-96; 1883rd mtg., plen., para 46.
[414]A number of delegations, while embracing the strategy, expressed reservations concerning the scope of the plan, which some considered to be inadequate; others that noted it provided only a minimum. G A (25) plen., 1859th mtg., para. 31, 1871st mtg., paras. 48, 67, 148-152, 175, 292; A/8124/Add.1, (a) 1-2.
[415]G A resolution 2626 (XXV), paras. 56-59.
[416]Ibid., paras. 18, 117.
[417]Ibid., para. 19.
[418]Ibid., paras. 13-15.
[419]G A resolution 2626(C)(20), (D).

establish the machinery, at the national as well as international levels, to carry out systematic appraisals on the progress and shortfalls of the Strategy, with the Committee for Development Planning playing a role in reviewing and making recommendations regarding progress, which in turn would be reviewed by General Assembly, through the Economic and Social Council, with the cooperation of the Secretary-General.[420]

b. *Declaration and Programme for the New International Economic Order*

112. The topic "Study of the problems of raw materials and development" and the convening of the subsequent sixth special session of the General Assembly was proposed by the President of Algeria in a letter to the Secretary-General in early 1974 "in order that useful discussions may be held on development and on international economic relations and all their implications with a view to establishing a new system of relations based on equality and the common interests of all States."[421] Following consultations, the Secretary-General informed Member States that the General Assembly would convene its sixth special session in New York on 9 April 1974.[422]

113. At its 2207th meeting, the General Assembly decided to establish an ad hoc committee of the sixth special session.[423] Speaking at the meeting, the Secretary-General stated that the basic objective of the session was to secure better conditions of social justice throughout the world through the optimum use of the world's natural resources. To that end, he suggested that the session should focus on six primary issues requiring immediate action: mass poverty, population, food, energy, military expenditure and the world monetary system.[424]

114. At its 1st meeting, the Committee had before it two working papers by the Group of 77 encompassing a draft Declaration on the Establishment of a New International Economic Order and a draft Programme of Action for the Establishment of a New International Economic Order,[425] and several notes by the Secretary-General on topics such as the evolution of basic commodity prices since 1950, the evolution of banana prices and the hypothetical impact of commodity price movements on world trade.[426] At its 3rd meeting, the Committee established a Working Party of the Whole to consider concrete proposals arising out of general debate in plenary sessions, as well as those proposals and amendments submitted by delegates to the Committee.[427] The Working Party held eight meetings, at which it established a list of headings to facilitate the discussion of specific proposals.[428] The Committee proceeded with a paragraph-by-paragraph discussion of the two working papers. It was proposed early in the session that a contact group should meet to consider how to embody amendments proposed in the draft. At the close of its 18th meeting, the Committee had completed its first reading of both texts, and continued its work thereafter through private consultations.[429]

115. At the Committee's 21st meeting, at the suggestion of the Chairman, the Committee adopted without a vote the texts of the draft Declaration and draft Programme of Action[430] and authorized the Chairman to submit the texts to the President of the General Assembly with a recommendation for their adoption. The Committee noted that, following informal consultations, the texts seemed to constitute the basis of a consensus, although some delegations wished to make statements and express reservations regarding the drafts.[431]

116. At its 2229th meeting, the General Assembly adopted without objection the Declaration and Programme, with one amendment, without a vote.[432] By its resolution 3201 (S-VI) of 1 May 1974, the Assembly declared the international economic order in direct conflict with current developments in international political and economic relations,[433] citing the series of global crises and their repercussions on developing countries, and asserted the intention to restructure international economic relations on the basis of equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems. The Declaration articulates among its founding principles the "[f]ull and effective participation on the basis of equality of all countries in the solving of world economic problems in the common interest of all countries," the right of each State to the economic and social system of its choosing, full sovereignty over national resources, the end to colonial domination, foreign occupation and racial discrimination, the amelioration in terms of trade between developing country exports and imports, preferential treatment and non-reciprocity in trade for developing countries, favourable conditions for the transfer of financial resources to developing countries, access for developing countries to scientific and technological achievements and the end of food waste.[434]

117. The wide scope of the Programme envisioned measures to consolidate the objectives and principles of the

[420] G A resolution 2801 (XVI).
[421] G A (S-VI) Annexes, 7, A/9541.
[422] G A (S-VI) Annexes, 7, A/9542.
[423] G A (S-6) Plen., 2207th mtg., para.31.
[424] Ibid., paras. 41-48.
[425] Issued as conference room papers 1 and 2.
[426] A/9544 and Corr.1, A/9544/Add.2 and Corr.1, and A/9544/Add.3, respectively.
[427] G A (S-VI) Ad Hoc Committee of the sixth special session, A/AC.166/SR.3, paras. 3-23. At the 2nd meeting, it was agreed that the officers of the Committee would consider and submit a tentative programme of work in the light of the discussion at that meeting. The establishment of the Working Party reflected agreement among those officers.
[428] G A (S-VI) Annexes, 7, A/9556, para. 7. These included special measures to mitigate the immediate difficulties of the developing countries most seriously affected by economic crisis, international trade and development, financial matters including assistance to developing countries, technology and development, institutional questions, follow-up and other proposals.
[429] Ibid., 18th mtg., para. 60.
[430] G A (S-VI) Annexes, 7, A/9556, para. 19
[431] Ibid., para. 17. Moreover, it was understood that submission of the texts to the Assembly did not constitute approval of them. Two proposed drafts submitted by the Group of 77 containing essentially identical language before modifications and additions were made, were not pressed to a vote.
[432] G A (S-VI) plen., 2229th mtg., para.18. It must be noted, however, that although the Declaration and Programme garnered broad support, a number of delegations questioned whether the texts could be said to have been adopted by consensus. See Ad Hoc Committee, 21st mtg., paras. 3-6; G A (S-6) plen., 2229th and 2230th mtgs.
[433] G A resolution 3201(S-VI), para.2.
[434] Ibid., para. 4.

Declaration in such fields as: raw materials, food, trade, transportation and insurance, reform of the international monetary system, financing of development, industrialization, transfer of technology, and the regulation and control over the activities of transnational corporations. The Programme elaborated areas for the promotion of collective self-reliance and cooperation among developing countries, a statement concerning assistance in the exercise of permanent sovereignty of States over natural resources, and the framework for strengthening the role of the United Nations system in the field of international economic cooperation and the Special Programme. In the last section, the General Assembly adopted a Special Programme contemplating emergency measures to mitigate the difficulties of developing countries most seriously affected by economic crisis.

c. *Charter of Economic Rights and Duties of States*

118. Among the main functions of the United Nations Conference on Trade and Development mandated by the General Assembly at its nineteenth session was the formulation of principles and policies of international trade and related problems of economic development.[435] The proposed draft resolution for the elaboration of a charter of economic rights and duties of States was submitted by the Group of 77, and originated from a statement by the President of Mexico at the third session of the United Nations Conference on Trade and Development in 1972. Supporters of the resolution considered that the principles adopted at the first session of the Conference governing international trade relations were no longer sufficient to protect weaker countries against foreign economic power. The principles had to be converted into internationally legal instruments in order to make it possible for the Governments of the countries concerned to invoke their rights.[436]

119. The Conference decided to establish a Working Group of government representatives to prepare a draft text, which would, in turn, be submitted for consideration and suggestions to States members of UNCTAD.[437] The Conference moreover invited the General Assembly to decide on the modalities for further drafting and adoption of the charter.[438] The Secretary-General of UNCTAD announced the membership of the Working Group at the 338th meeting of the Trade and Development Board, which, following statements of concern at the level of representation within the Working Group,[439] was enlarged by the General Assembly in its resolution 3037 (XXVII) of 19 December 1972.

120. In conformity with Trade and Development Board decision 93 (XII), the Working Group on the Charter of Economic Rights and Duties of States held its first session at Geneva from 12 to 23 February 1973. The Working Group had before it a paper prepared by the UNCTAD secretariat in consultation with the Office of Legal Affairs of the United Nations, to assist the work of the Group,[440] as well as numerous proposals submitted by representatives, each containing an outline of a possible preamble and of provisions to be embodied in the draft charter.[441] Comments on the proposals ranged from questions on the scope of the work, the legal effect of the instrument that would be ultimately adopted, the choice of topics themselves and the language in the proposals.[442] Sponsors of the four working papers then submitted a consolidated proposal[443] to the Working Group, which referred it to a subgroup of 18 members.[444] Deliberations within the subgroup yielded a draft outline and draft alternative texts of a charter of economic rights and duties of States,[445] as well as agreement on some 20 basic subjects for inclusion in the charter. The Working Group took note of the draft outline and, pursuant to Conference resolution 45 (III), transmitted it to the Governments of UNCTAD member States for comments.[446]

121. At the remaining three sessions of the Working Group, the Group established sub-groups as required. Each sub-group, in turn, set up drafting groups which would report directly to the Working Group.[447] In certain instances, small ad hoc negotiating groups were established to deal initially with certain paragraphs of the draft text, while other paragraphs would be dealt with in informal consultations among interested delegations.[448] The Group worked on the basis of the draft outline and alternative texts and the comments and suggestions received from States members of UNCTAD.[449]

122. Both within the Working Group and the Board, the issue arose as to the legal status of the instrument which would ultimately be adopted. The view was expressed within the Board that, in extending the Working Group's mandate, the Board should request the General Assembly to decide on the legal nature of the proposed charter to ensure meaningful progress in the Group's work.[450] Several representatives preferred a charter adopted in the form of a declaration,[451] while others expressed the need for a legally binding instrument.[452] Reporting on the work of the Working Group and the results of informal consultations to the Second Committee at the twenty-ninth session of the

[435]G A resolution 1995 (XIX)
[436]UNCTAD, *Proceedings*, vol. I, p. 35.
[437]Ibid., annex I, resolution 45 (III).
[438]Ibid.
[439]G A (27), Suppl. No. 15, A/8715/Rev.1, para. 161.
[440]TD/B/AC.12/R.3 and Add.1).

[441]See TD/B/AC.12/R.6 and Add.1, TD/B/AC.12/R.7, TD/B/AC.12/R.8, TD/B/AC.12/R.9 and TD/B/AC.12/R.1.
[442]T D B, TD/B/AC.12/1, paras. 12-56.
[443]TD/B/AC.12/R.11
[444]TD/B/AC.12/1, para. 59.
[445]The outline envisioned provisions on the following, among others: a chapter containing fundamental principles of international economic and social relations; a chapter articulating the economic rights and duties of States; a chapter articulating areas of common responsibility vis-à-vis the international community; and a chapter setting out the modalities of implementation. Ibid., para. 60.
[446]Ibid., para. 63. Several representatives made clear that the draft outline did not commit members of the Working Group individually or as a whole. The Chairman of the Working Group said that it was the understanding both in the sub-group and in the Working Group that the purpose of the draft outline was to provide a basis for the comments of Governments.
[447]TD/B/AC.12/2, para. 9.
[448]TD/B/AC.12/4, paras. 23-24. At the end of the Working Group's final session, a Contact Group of 12 members, consisting of the chairmen of the negotiating groups, would be established to take up all outstanding matters. Ibid., para. 28.
[449]TD/B/AC.12/2/Add.1, annex 1, pp. 2-52.
[450]G A (27), Suppl. No. 15, A/9015/Rev.1, para. 346. See also G A (28), 2nd Comm., 1552nd mtg., para. 43.
[451]Ibid., para. 347; TD/B/AC.12/1, para. 19.
[452]Ibid., para. 344; TD/B/AC.12/1, para. 18. The view was expressed in the Working Group that declarations of intent had, in the past, yielded unsatisfactory results. Others expressed the opinion that the mandate of the Working Group under Conference resolution 45 (III) included the drafting of a legally binding instrument.

General Assembly, the Chairman of the Working Group noted that the Group envisioned its mandate as a codification of rules embodied in international law and the development of new rules to meet the needs of the future, rather than a United Nations programme of action. He distinguished the aspirational language and recommendations of the International Development Strategy and Programme of Action for the new international economic order with the aim of the Charter of articulating the parameters governing relations between States.[453] Nevertheless, the Chairman also noted that the Group failed to agree on the inclusion of language in the transitional paragraph stating that the Charter constituted the first stage in the codification and progressive development of the subject.[454]

123. At its 30th meeting, the Working Group considered the final draft Charter of Economic Rights and Duties of States and decided to submit the draft, along with comments, to the Trade and Development Board at its fourteenth session for transmittal to the General Assembly at its twenty-ninth session.[455] The Board, recommending informal consultations to resolve remaining areas of disagreement prior to consideration by the General Assembly, took note of and transmitted the report to the Assembly.[456]

124. The agenda item entitled "Charter of Economic Rights and Duties of States" was allocated to the Assembly's Second Committee for consideration in 1974. The Committee had before it the report of the Working Group, a 90-Power draft resolution containing the text of the draft Charter,[457] and a nine-Power draft resolution proposing the continuation of the work of the Working Group, noting the existence of controversial points which it would be highly desirable to settle with a view to final adoption of the Charter in 1975.[458] The Chairman also pointed out subjects of remaining disagreement[459] and noted that informal consultations in New York had given rise to tentative agreement on the basic statement concerning the principle of permanent sovereignty over natural resources, as well as on restriction of the activities of transnational corporations.

125. The representative of Mexico, introducing the 90-power draft in the Second Committee, stated that the Group of 77 had empowered the 22-delegation contact group to act on its behalf in any negotiations initiated by other groups.[460] The preambular paragraphs set out the fundamental purpose of the Charter. By chapter 1, the proposed Charter would reaffirm a set of fundamental principles. Chapter II set out the principal economic rights and duties of States. Chapter III recognized certain responsibilities that States owed the international community. Chapter IV set out the final provisions of the Charter, providing for a review of the implementation of the Charter every five years by the Assembly, taking into account "the evolution of all the economic, social, legal, and other factors related to the Charter principles." Subsequently, 18 amendments to the draft text were considered by the Committee, reflecting unresolved differences following the work of the Working Group. For example, one amendment to the provision in article 30 declaring environmental protection the responsibility of all States would include the language in accordance with pertinent international norms, regulations and obligations.[461] Three other amendments[462] would delete articles 15, 16 and 19; all but one of the proposed amendments were rejected.[463] The vote on the 90-Power draft proceeded, at the request of one representative, on the basis of a separate vote on each preambular paragraph, sub-paragraph and article, and on the basis of the draft as a whole. The Committee decided to consider as retained those sections whose deletion, previously called for by amendments, had been rejected.[464] The Assembly then adopted the Charter as resolution 3281 (XXIX) as a whole by a roll-call vote. As in the case of the International Development Strategy, delegations subsequently offered statements of interpretation and/or reservation in their explanation of vote.

d. *United Nations Conference on the Human Environment*

126. The question of convening an international conference on the environment had been considered by the Economic and Social Council at its forty-fifth session.[465] On the Council's recommendation, the United Nations Conference on the Human Environment was convened in accordance with a decision taken by the General Assembly at its twenty-third session.[466] It was agreed that the Conference would be action-oriented and would identify those environmental problems which could best be resolved by international cooperation, provide guidelines for action by Governments and international organizations designed to protect and improve the human environment and prevent its impairment, promote awareness of Governments and public opinion regarding these problems, and exchange knowledge and national experience in dealing with environmental problems.[467] At its twenty-fourth session, the General Assembly had entrusted the Secretary-General with the overall responsibility for the preparation of the Conference and established a conference secretariat and a Preparatory Committee.[468]

127. The Administrative Committee on Coordination established a Functional Group on the Human Environment

[453] G A (29) 2nd Comm., 1638th mtg., para. 14.
[454] Ibid., para. 11.
[455] Ibid., para. 10.
[456] G A (29), Suppl. No. 15, A/9615/Rev.1, annex 1, T D B resolution 110 (XIV).
[457] A/C.2/L.1386 and Corr.1-6. The draft resolution was drawn up on the basis of the fourth session Working Group report, provisions remaining without consensus, and alternatives proposed by developing countries.
[458] A/C.2/L.1419. The resolution was rejected by the Second Committee.
[459] These included a provision dealing with the permanent sovereignty of States over their wealth and natural resources with reference to issues of investment agreements, nationalization and terms of compensation; provisions dealing with the principle of non-discrimination in trade and most-favoured-nation treatment; a provision on the environment; and a provision concerning the freeing of resources through disarmament for use by developing countries. Ibid., paras. 3-12.
[460] G A (29) 2nd Comm., 1639th mtg., para. 14.
[461] A/AC.2/L.1414.
[462] Dealing respectively with the duty of States to promote disarmament and to use the savings therefrom for development, the right and duty of all States to eliminate colonialism, apartheid, racial discrimination, neocolonialism and all forms of aggression, and the granting of generalized preferential, non-reciprocal and non-discriminatory trade treatment to developing countries. A/C.2/L.1410-1412.
[463] The amendment in A/C.2/L.1399 deleted the phrase "as a first step in the codification and progressive development of this subject" from the 90-Power draft.
[464] G A (29) 2nd Com., 1648th mtg., paras. 14-15.
[465] E S C resolution 1346 (XLV).
[466] G A resolution 2398 (XXIII).
[467] G A resolution 2581 (XXIV); G A (25), A/CONF.48/PC/2, para. 6.
[468] G A resolution 2581 (XXIV).

to prepare a consolidated report on the current and planned activities of the United Nations system relating to the human environment. The Committee had also established an ad hoc Interagency Working Group on the Human Environment Conference, which submitted recommendations to the Secretary-General of the Conference regarding the contents of the Conference agenda and coordinated the contributions of the agencies to the documentation for the Conference.[469]

128. The Preparatory Committee undertook to fulfil its mandate over the course of three sessions, pursuant to General Assembly resolutions 2581 (XXIV) of 15 December 1969 and 2657 (XXV) of 7 December 1970. The Committee envisioned that the work of the Conference would produce a Report on the State of the Human Environment (Level I) providing the conceptual framework within which the specific discussions for the Conference would be organized, and a body of substantive decisions, encompassing an action plan (Level II).[470] The Committee identified four topics for Level III action to be initiated before the Conference, consisting of marine pollution, soils, monitoring or surveillance, and conservation. In addition, the Committee agreed on a proposed Conference agenda[471] and decided that three Conference Committees would be established to consider substantive agenda items.[472] Basic papers for the Conference would include material received from United Nations agencies and bodies, from Governments and from intergovernmental and non-governmental organizations.[473]

129. The Committee organized its work primarily around the establishment at each session of working groups, convening to consider the definition of the programme and content and selection of topics, questions relating to a possible declaration, the preparation of national reports[474] and recommendations to the Secretary-General of the Conference regarding the progress of draft conventions.[475] At subsequent sessions, the Committee established three sessional working groups corresponding to the three Main Committees of the Conference[476] and an Intergovernmental Working Group to prepare a draft Declaration.[477] To formulate proposals for specific action, the Committee elaborated an outline and recommended for each topic the establishment of Intergovernmental Working Groups.[478] Based on the outcome within the Working Groups,[479] the Committee adopted recommendations for its subsequent phases of work, and on the structure of and direction to be taken by the Conference. Discussion in the Committee emphasized the socio-economic nature of problems of the human environment, and recognized the need for "new economic thinking, new legal instruments new administrative measures and new government priorities."[480]

130. During the preparatory period, the Economic and Social Council and the General Assembly took an active part in guiding the process to Stockholm.[481] The Council played a role in both endorsing the work of the Preparatory Committee[482] and expressing its concern with regard to some aspects of it. The Council also requested the Secretary-General to arrange for an informal meeting with the members of the Preparatory Committee before the end of 1970. By resolution 2657 (XXV), the Assembly requested the Secretary-General to convene a second and third session of the Preparatory Committee and recommended that an item relating to economic and social aspects to safeguard the interests of developing countries be considered by the Committee.[483] The Assembly approved the provisional agenda and draft rules of procedure for the Conference, and requested the Secretary-General to circulate in advance of the Conference (a) a draft declaration, (b) a draft action plan constituting a blueprint for international cooperation, (c) draft proposals for the required organizational and financial arrangements and (d) any other proposals ready for consideration by the Conference. The Assembly also recommended that the Committee consider the financing of possible action in the field of the environment to ensure the availability of adequate resources for environmental protection in developing countries.[484]

131. Debate arose regarding the economic implications of environmental action for developing countries.[485] At the twenty-sixth session of the General Assembly, a number of delegations to the Second Committee expressed concern that the wording of a draft resolution[486] suggested that development and the environment were opposed, a suggestion with which they disagreed.[487] Debate arose as to provisions in preambular and operative paragraphs which would place the burden of environmental policies and accompanying financial implications on the developed countries.[488]

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[469]E S C (51) E/5012 (Part I), paras. 20-21.

[470]A/CONF.48/PC.8, para 44, and A/CONF.48/PC.9, paras 14-15. The report itself would not be discussed at the Conference.

[471]A/CONF.48/PC.9, para. 20. Work for the Conference was also facilitated through the convening of numerous seminars organized by the regional economic commissions and the United Nations Economic and Social Office in Beirut, including a panel of experts on development and environment, held at Founex, Switzerland.

[472]A/CONF.48/PC.8, para 44. Substantive items encompassed: the planning and management of human settlements for environmental quality and the educational, informational, social and cultural aspects of environmental issues (Committee 1); environmental aspects of natural resources management, and development and environment (Committee 2); and identification and control of pollutants and nuisances of broad international significance, and the international organizational implications of action proposals (Committee 3).

[473]A/8509, paras. 4-7, and annex V.

[474]A/CONF.48/PC/6, para. 13.

[475]These included a draft Convention on Conservation of the World Heritage, on the export, import and transit of certain species of wild animals and plants, on the conservation of certain islands for science, and on international protection of monuments, groups of buildings and sites of universal value, prepared by UNESCO, and the Convention on Conservation of Wetlands of International Importance. A/CONF.48/PC.13, para. 76. An Intergovernmental Working Group on Marine Pollution considered a draft proposed by one delegation for a convention on the regulation of transportation for ocean dumping. Ibid., paras. 120-124. See also, A/CONF.48/PC.17, paras. 19-24. Some delegations expressed doubts concerning the feasibility and desirability of departing from the normal procedures for preparing conventions for the sole purpose of their completion in time for the Conference.

[476]A/CONF.48/PC.13, para. 4.

[477]A/CONF.48/PC/6, para. 28, A/CONF.48/PC. 16, annex III; and A/CONF.48/PC.17, para. 77.

[478]A/CONF.48/PC/9, paras. 37-89. See also E/4991/Add.1, para. 4.

[479]*See, e.g.,* A/CONF.48/PC.13, para. 4.

[480]A/CONF.48/PC/6, para. 117.

[481]In accordance with General Assembly resolution 2657 (XXV).

[482]E S C resolution 1536 (XLIX).

[483]G A resolution 2657 (XXV).

[484]G A resolution 2657 (XXV).

[485]A/CONF.48/PC.13, para. 38.

[486]A/C.2/L.1185 and Rev. 1 and 2 and A/C.2/L.1195.

[487]G A (26) 2nd Comm., 1428th mtg., para. 8, 1435th mtg., paras. 10 and 30, 1436th mtg., para. 20.

[488]Ibid., 1435th mtg., para. 25.

Assembly resolution 2849 (XXVI) of 20 December 1971 thus set out guidelines for the content of the Conference action plan and the action proposals delineating a balance between environmental and development priorities, and the proper spheres of international action and national sovereignty, "in order to safeguard and promote the interests of developing countries with a view to reconciling the national environmental policies with their national development plans and priorities."[489]

132. With regard to the Declaration on the Human Environment, opinion diverged in the Preparatory Committee concerning the specificity of the document, with the prevailing view favouring an outline of broad goals and objectives. Some delegations stated that the Declaration should articulate both the fundamental rights and the duties of States regarding the environment, while others pointed out that it should universally recognize the fundamental need of the individual for an environment permitting the enjoyment of human rights.[490] While a number of delegations stated that the Declaration should not include binding legal obligations,[491] there was general agreement that the Declaration should be based on well-established principles of international law, including those articulated by the Charter of the United Nations concerning national sovereignty and international cooperation. Some members considered that the document should recognize the responsibility of States to protect the environment and provide guidance for action by States, in order to form a basis for future agreements.[492] Regarding the action plan, the Committee agreed that the approach should be selective, producing concrete, precise proposals and measures commanding the consensus of all regions that would allow rapid implementation. A number of delegations stated that the Conference should give priority to global, rather than national actions. Some delegations raised the issue of sovereignty in pointing out that decisions on the priorities of action proposals could only be taken by Governments in the light of national conditions and policies.[493] In his statement, the Secretary-General of the Conference identified the three main stages in the development of action proposals: the identification of an area of concern in which there was a broad consensus that some form of international action was required; the identification in general terms of the action proposals which would seem to represent the most appropriate response; and the detailed definition of action proposals, including analysis of the organizational and financial requirements and the time required for implementation.[494]

133. The United Nations Conference on the Human Environment was held at Stockholm from 5 to 16 June 1972. Pursuant to General Assembly resolution 2850 (XXVI) of 20 December 1971, the Secretary-General submitted a draft declaration on the human environment prepared by the Intergovernmental Working Group on the Declaration, a draft action plan consisting of a functional framework and recommendations for action at the international level, and a report on the alternative organizational and financial arrangements required to implement the measures adopted by the Conference.[495] At its 1st plenary meeting, the Conference adopted the framework for environmental action suggested by the Secretary-General of the Conference.[496] The three Committees considered the recommendations contained in the basic Conference documents pertaining to their respective subject areas, as well as submitted amendments and draft recommendations. The Committees also considered and adopted a number of draft resolutions, dealing with an International Environment Day, institutional and financial arrangements for international environmental cooperation, and nuclear weapons testing. The reports of the Committees were considered by the Conference in plenary,[497] where it was decided to directly commend the recommendations to the attention of Governments for action at the national level.[498] At the 20th meeting, the President of the Conference proposed that the Secretary-General of the Conference group the adopted recommendations into a broad framework for action adopted at the 1st plenary meeting and encompassing the following: the global environmental assessment programme (evaluation and review; research, monitoring, information exchange); environmental management (goal planning, international consultations and agreements); international measures to support the national and international actions of assessment and management (education and training, public information, organization, financing, technical cooperation).[499]

134. Although many delegations were satisfied with the draft Declaration submitted by the Preparatory Committee, several found that the draft did not reflect the views of all the States members of the Conference. At its 7th plenary meeting, the Conference approved a resolution establishing the Working Group on the Declaration on the Human Environment,[500] which adopted 21 of the 23 recommendations.[501] Of those two not adopted, draft principle 20 was referred to the General Assembly for further deliberation, where, following consultations within the Second Committee, a compromise was reached in what the Assembly adopted as its resolutions 2995 (XXVII) and 2996 (XXVII).[502]

[489]G A resolution 2657 (XXV).
[490]A/CONF.48/PC.13, paras. 20-21, 151.
[491]Ibid., para. 152.
[492]Ibid., paras. 152 and 154.
[493]Ibid., paras. 20-21.
[494]Ibid., para. 32.
[495]A/8783, para. 5.

[496]See A/CONF.48/5. A/CONF.48/14.
[497]A/CONF.48/14, chap. X.
[498]Ibid., chap. V.
[499]Ibid., chaps. II and XI.
[500]A/CONF.48/14, chap. IX.
[501]The two recommendations not adopted consisted of one by which States would supply relevant information on activities within their jurisdiction believed to be necessary to avoid the risk of significant adverse environmental effects beyond that jurisdiction (draft recommendation 20), and the other by which States would strive to reach prompt agreement, in the relevant international organs, on the elimination and complete destruction of nuclear weapons (21). A/CONF.48/14, chap.. X, para. 331 Draft principle 20 was referred to the General Assembly for its consideration.
[502]A number of delegations to the Second Committee had objected to a proposed draft text on the grounds that it went beyond and weakened principles 21 and 22 as adopted at Stockholm. See, e.g., G A (27) 2nd Comm., 1469 mtg., para. 38; 1470 mtgs., paras. 2 and 3; 1472 mtg., paras.12 and 43. Amendments, nevertheless, were withdrawn in the light of a consensus reached by the Committee, Ibid., 1479 mtg., paras. 20-21, that the draft resolution could not in any way affect those principles, a consensus articulated in resolution 2996 (XXVII). By resolution 2995 (XXVII), the Assembly amended the obligation contained in draft principle 20 to a hortatory recognition of its effectiveness, and "recogniz[ed] further that the technical data referred ... will be given and received in the best spirit of cooperation ... without this being construed as enabling each State to delay or impede the programmes and projects of ... exploitation ... of the natural resources of the States in whose territories such programmes and projects are carried out."

135. The Action Plan for the Human Environment[503] consisted of 109 recommendations for environmental action at the international level, to be taken principally by Governments and organizations and bodies of the United Nations system. Many would require cooperation with and complementary action from other governmental and non-governmental organizations.[504] The institutional machinery recommended by the Conference was envisioned as a source of assistance to Governments in formulating approaches to environmental policies at a national and international cooperative level.[505] The main instrument would consist of the proposed Governing Council, which would report annually to the General Assembly through the Council. The environment secretariat would serve the Governing Council and act as a focal point for environmental action within the United Nations system. The Environment Fund would support the policy and programme objectives established by Governments through the Governing Council.

136. At its twenty-seventh session, the General Assembly took note with satisfaction of the report of the United Nations Conference on the Human Environment, held at Stockholm in 1972, drawing the attention of Governments to the Declaration and the Action Plan of the Conference, and creating the institutional arrangements within the United Nations system for the protection and improvement of the environment,[506] including the Governing Council of the United Nations Environment Programme, a small environment secretariat, an Environment Fund and, working within the framework of the Administrative Committee on Coordination, an Environment Coordination Board.[507]

137. By its resolution 3000 (XXVII) of 15 December 1972, the General Assembly stressed the importance of action at the national level for protecting and enhancing the environment, and called upon the Governing Council of the United Nations Environment Programme to explore at its first session ways and means of promoting effective regional programmes in the field of the environment. By its resolution 3002 (XXVII) of the same date, the Assembly stipulated that resources for environmental programmes should be supplementary to those projected under the International Development Strategy.[508] At its fifty-fifth session, the Economic and Social Council requested the Governing Council to organize its work in such a way that substantive discussions on work programmes, including those supported by the Environment Fund, and their funding could be held.[509]

e. *The problem of desertification*

138. In response to the catastrophic drought in the Sudano-Sahelian region, the United Nations took a number of initiatives during the period under review to address the crisis. Initial emergency measures to combat the drought bore evidence of a greater problem of ecological deterioration of the natural production base in the region:[510] long-term development programmes were required, with provisions on developing a viable economic production base, taking into account the constraints on physical labour, financial resources, and land resources,[511] and to base the long-term development strategy on the need for transforming ecological conditions in the region.[512]

139. At its fifty-fourth session, the Economic and Social Council allocated the agenda item entitled "Aid to Sudano-Sahelian populations" to its Economic Committee. The Committee had before it information supplied by the Special Representative of the Director-General of FAO concerning the extent of FAO's activities in the region and the gravity of the problem. On the recommendation of the Committee, the Council adopted resolution 1759 (LIV) of 18 May 1973, in which it noted the danger to human life arising from the drought owing to the deficits in food production, and called upon the Secretary-General to organize, in collaboration with the organizations of the United Nations system, necessary medium- and long-term assistance to respond to requests of affected States.

140. Pursuant to the above mandate, the Secretary-General convened a meeting under the chairmanship of the Under-Secretary-General for Political and General Assembly Affairs, attended by representatives of all bodies of the United Nations system concerned with the Sudano-Sahelian problem, representatives of some 25 Governments and several intergovernmental and non-governmental organizations, to coordinate a response to the requests for assistance for the medium- and long-term needs of the region, as presented by the Governments of the affected countries.[513] It was decided that the Permanent Inter-State Committee on Drought Control in the Sahel (CILSS) should be the focal point for assistance-oriented programmes of the United Nations system.

141. Both the General Assembly and the Economic and Social Council appealed to States Members of the United Nations, organizations of the United Nations system and international financial institutions for financial and technical assistance in meeting the immediate, emergency needs, as well as medium- and long-term needs of the affected countries.[514] Specific assistance measures included loans and credits for programmes on the most favourable terms, consolidation of debts in the multilateral sphere, the improvement and construction of road and rail networks and food provision.

142. In October 1973, the Second Committee of the General Assembly considered the item entitled "Aid to the Sudano-Sahelian populations threatened with famine." On the recommendation of the Second Committee, the General Assembly adopted resolution 3054 (XXVIII) of 17 October 1973, in which it invited the Governing Council of UNDP to give high priority to regional development programmes concerned with the drought problem, to give financial and technical support to the establishment of national and regional research institutions focusing on the problem and to intensify research on developing grain varieties suitable for the region. In addition, the Assembly requested the Governing Council of UNEP to give priority to the search for a medium- and long-term solution to the

[503] A/CONF.48/14, chap. II.
[504] A/8901, paras. 10-11.
[505] Ibid., para. 8.
[506] A/CONF.48/14, chaps. I and II.
[507] G A resolution 2997 (XXVII) I-IV.
[508] G A resolution 3002 (XXVII).
[509] E S C resolution 1820 (LV).
[510] E S C (57), Suppl. No. 2, E/5554, para. 3.
[511] Ibid., para. 4.
[512] E S C resolution 1874 (LVII)
[513] E/5457, paras. 2-3.
[514] See, e.g., E S C resolutions 1759 (LIV), 1797 (LV), 1834 (LVI); G A resolutions 3054 (XXVIII) and 3153 (XXVIII).

problem of desert encroachment. The new international economic order adopted by the Assembly at its sixth special session contained provisions declaring that [a]ll efforts should be made by the international community to undertake concrete and speedy measures with a view to arresting desertification.[515] The Assembly consequently established a Special Fund of voluntary contributions from industrialized countries and other potential contributors to provide emergency relief and development assistance and eventually long-term surveillance and assessments.[516]

143. Attempts to resolve the problem of drought in the region encompassed the efforts of numerous United Nations programmes and agencies,[517] as well as the creation of a number of United Nations offices and intergovernmental organizations. The Director-General of FAO was requested to serve as focal point, reporting to the Secretary-General, to concentrate the efforts of the United Nations system in the emergency relief operation.[518] In addition, implementation of medium- and long-term measures of recovery included the involvement of the World Meteorological Organization, the regional Economic Commission for Africa, ILO, UNDP, UNICEF, the United Nations Fund for Population Activities, and the participation of the World Bank Group.[519] In accordance with General Assembly resolution 3054 (XXVIII), the Governing Council of UNEP decided to establish as a matter of priority integrated research programmes on arid and semi-arid lands, carrying out studies, meetings and specifically created programme activity centres on a regional basis.[520]

144. Governments of the affected countries decided to establish the CILSS[521] to coordinate national and regional action. The Club des amis du Sahel[522] was established in November 1976 to assist in the implementation of the programmes adopted by the Council of Ministers of CILSS. Following a meeting in May 1973 between the Secretary-General of the United Nations and the Director-General of FAO, a Special Office for the Sahelian Relief Operations (OSRO) was established at FAO headquarters in Rome to facilitate emergency relief activities assigned to FAO and to coordinate field operations in close cooperation with CILSS. At the Geneva meeting held that same year, it was decided that a small technical staff should be established by the Secretary-General to act as a central coordination point for the United Nations system and facilitate consultations with all interested donor services.[523] In the subsequent report, the Secretary-General put forward the recommendations made at Geneva, including the creation of the Special Sahelian Office (SSO) at United Nations Headquarters in New York.[524]

145. With the completion of the preparatory phase for medium- and long-term measures and the beginning of recovery and rehabilitation activities, the Secretary-General, pursuant to the mandates of the General Assembly and the Economic and Social Council, transferred a number of principal functions of the SSO from New York to the drought-affected region.[525] The United Nations Sahelian Office (UNSO) was thus established at Ouagadougou in 1974 to serve as the principle contact with CILSS regarding United Nations participation to the recovery and rehabilitation efforts and support in mobilizing available resources and expertise for CILSS programmes and projects.[526] UNSO would, in addition, monitor, coordinate and harmonize interrelated activities and ensure their consistency with the objectives of CILSS. SSO remained active in maintaining public awareness, collecting statistical data and coordinating information.[527]

146. Following the establishment of UNSO, the Office intensified contacts with CILSS and the United Nations system. The Council of Ministers of CILSS met to adopt a number of projects, adding to the programme established the previous year. Following the meeting, the Minister Coordinator of CILSS notified the United Nations Sahelian Office of the agreement and confirmed the accreditation of UNSO. The Director of UNSO was frequently invited to meetings of the Council of Ministers, where the work programme of the Office was approved and the measures were enacted to mobilize required financial resources for implementation of that programme.[528] UNSO was to inventory the activities undertaken by donors in connection with projects in the CILSS programme.[529]

147. In 1974, the Committee on Science and Technology for Development considered the question of a world programme of research and application of science and technology to solve the special problems of the arid areas.[530] On the recommendation of the Economic Committee,[531] the Economic and Social Council adopted the resolution recommended by the Committee on Science and Technology for Development as its resolution 1898 (LVII). Pursuant to that mandate, the Secretary-General convened an ad hoc inter-agency task force on the arid areas, composed of persons appointed by competent organizations within the United Nations system. The task force would identify the obstacles and prepare an inventory of current research and development actions and programmes, with a view to preparing a world programme of development research and application of science and technology to solve the special problems of the arid areas. The task force would report on its work to the Advisory Committee on the Application of Science and Technology to Development, as well as to the Committee on Science

[515] G A resolution 3202 (S-VI), sect. I, para 2 (c).
[516] Ibid.
[517] See, e.g., E S C (57), E/5554, para. 2. At its fifty-seventh session, the Council, in its resolution 1878 (LVII), requested the Secretary-General and all organizations of the United Nations system to pursue their activities in an interdisciplinary, system-wide attack on the drought problem.
[518] E/5372, para. 15. See also, A/9178, para. 7, and A/9737, para. 2.
[519] E/5554, paras. 37-62.
[520] A/9603, Chap. VI, C.
[521] G A resolution 3054 (XXVIII). The third session of the August-September 1973 meeting attended by representatives from affected countries (Chad, Mali, Mauritania, Niger, Senegal, Upper Volta and later Gambia) formally constituted CILSS and adopted its programme and convention, charging CILSS with responsibility for the coordination of activities and the mobilization of resources. A/9178, annex II and III.
[522] G A resolution 31/180.
[523] E/5457, para. 3.
[524] E S C (55), E/5374, annex, para. 5.
[525] A/9733, para. 7. The remaining functions of the New York office primarily consisted of finalization of main documents, liaison between Ouagadougou and elements of the United Nations located in New York and intensification of public awareness of the problem in the region. A/9733, para. 9.
[526] A/9733, paras. 7 and 8.
[527] E S C (57), 28 June 1974, E/5554.
[528] A/10346, paras. 5, 6 and 9.
[529] Ibid.
[530] E/5473, chap. 1, and draft resolution II.
[531] E/5563.

and Technology for Development's intergovernmental working group.[532] UNESCO subsequently assumed special responsibility for leading the task force in fulfilling the first part of its mandate.[533]

148. At its twenty-ninth session, the General Assembly recommended the establishment of a United Nations information centre at Ouagadougou and requested the Secretary-General to complete the preparatory work on creating a research institute for the Sahelian zone to complement the work of CILSS.[534] The centre would obtain information designed to maintain and intensify public awareness of the situation in the Sudano-Sahelian countries and to sustain the momentum of interest in the successful implementation of the CILSS programme.

149. At its thirtieth session, the General Assembly decided that the UNSO would conduct long-term surveillance of the rehabilitation projects in the Sudano-Sahelian region.[535] In 1978, the Economic and Social Council also recommended to the General Assembly to consider designating UNSO as the mechanism to coordinate United Nations efforts in implementing the Plan of Action of the United Nations Conference on Desertification.[536] At its thirty-third session, the Assembly adopted this initiative.[537]

150. At its twenty-ninth session, the General Assembly adopted resolution 3337 (XXIX) of 17 December 1974 on international cooperation to combat desertification, by which it decided to convene a United Nations Conference on Desertification in 1977.[538] The Assembly called for the convening of a small conference secretariat, drawing on resources from the United Nations system, and an ad hoc interagency task force to assist the secretariat of the Conference in preparing background materials. These would include: (a) a world map of areas affected by desertification; (b) a report on information pertaining to desertification through research by experts available in Member States or United Nations organs; and (c) a plan of action that included technological requirements.[539] In accordance with this mandate, the Secretary-General vested in the Executive Director of UNEP primary responsibility for implementing the provisions of the resolution and for coordinating and obtaining the resources for intergovernmental research and preparation for the Conference, which were to be provided by the Governing Councils of UNEP and UNDP.[540] The Governing Council of UNEP reported its recommendations on the organization of the Conference to the General Assembly through the Economic and Social Council.[541]

151. A second Ad Hoc Inter-agency Meeting on Arid Zones, held in March 1975 under ACC auspices, prepared the ground work for the secretariat of the Conference.[542] The Executive Director appointed a small secretariat and, following consultations with the Secretary-General, convened the ad hoc inter-agency task force to coordinate measures.[543] In accordance with the provisions of General Assembly resolution 3511 (XXX) of 15 December 1975, the Governing Council considered, at its 53rd and 54th plenary meetings, items pertaining to the Conference. Introducing his report, the Executive Director of UNEP pointed out a number of preparatory activities, including four interrelated global component reviews on climate and desert, ecological change, demographic, social and behavioural aspects and desert technology, as well as preparations for case studies being carried out under the auspices of UNESCO with UNDP assistance.[544]

152. The United Nations Conference on Desertification was held at Nairobi from 29 August to 9 September 1977.[545] The Conference's Committee of the Whole submitted a report to the Conference,[546] which resulted in the adoption of 28 policy recommendations to combat desertification, to be implemented by the Member States represented at the Conference. Notable among the recommendations was a provision encouraging public participation in combating desertification, through increased involvement and education. The final report of the Conference also included eight draft resolutions directed to the General Assembly, encouraging increased action and assistance to combat desertification and addressing the effect of weapons of mass destruction on ecosystems, as well as colonial desertification problems. The Conference accepted the world map of desertification as an indication of the magnitude of the problem and recommended future research and production of other maps to analyse problems such as salinization, alkalinization, hydrological quandary, soil degradation and seasonal drought.[547] It was agreed that no new institution of the United Nations system was needed to carry out the Plan of Action.[548] UNEP would be responsible for coordinating the implementation of the Plan of Action.[549] It was recommended that the regional commissions should coordinate with the Environment Coordination Board (ECB) to work on intra-regional anti-desertification programmes.[550] The Conference also recommended that ECB establish a working group on desertification consisting of a small number of highly qualified officers from appropriate United Nations agencies and bodies.[551] The report of the Conference was approved by the General Assembly in 1977.[552]

f. *Programme of concerted international action for the advancement of women*

153. The initiative to produce a programme of action for the advancement of women took root in 1962 with General

[532]Convened by E S C resolution 1897 (LVII) to examine the objectives and topics of a United Nations conference on science and technology.
[533]E/5716, para. 8.
[534]G A resolution 3253 (XXIX).
[535]A/10346.
[536]E S C resolution 1978/37.
[537]G A resolution 33/88.
[538]G A resolution 3337 (XXIX). The purpose of the Conference was to coordinate separate actions, agree on further measures and formulate a comprehensive global action programme to address the problem of desertification. The Conference secretariat was directed to provide a scientific basis for actions to be taken and draft a programme of action. A/CONF.74/36, chap. V, para. 35.
[539]Ibid.
[540]G A resolutions 3337 (XXIX) and 3511 (XXX).
[541]E/5689, para. 7; G A resolution 3511 (XXX).
[542]E/5689.
[543]*Ibid.*
[544]UNEP.GC/85/Corr.2, paras.299-303.
[545]A/CONF.74/36.
[546]A/CONF.74/L.17 and Add.1.
[547]A/CONF.74/36; A/32/257 and Corr.1.
[548]A/32/257 and Corr.1.
[549]Ibid.
[550]Ibid.
[551]Ibid.
[552]G A resolution 32/172.

Assembly resolution 1777 (XVII) of 17 December 1962, which, in response to Economic and Social Council resolution 884 E (XXXIV), initiated the study of a unified, long-term United Nations programme for the advancement of women, with special emphasis on rendering assistance through seminars, fellowships and the services of experts. Consideration of the question was primarily allocated to the Commission on the Status of Women,[553] which reaffirmed the importance of establishing the programme and expressed the belief that the implementation of the principles of the Declaration on the Elimination of Discrimination against Women should form an integral part of such a programme.

154. The 1968 Tehran International Conference on Human Rights had adopted a resolution concerning measures for the promotion of the rights of women, notably of a long-term, unified programme of action for the advancement of women. By the terms of the resolution, the Conference had invited Governments and specialized agencies to draw up and execute, in cooperation with national commissions on the status of women or similar bodies, long-term programmes for the advancement of women within the context of national development plans, as a means for promoting the rights of women in the modern world.[554] The Conference also requested the United Nations General Assembly to invite Member States to inform the Commission on the Status of Women of their national programmes for the advancement of women.[555] At its 1969 session, the Commission endorsed the recommendations in Conference resolution IX as providing guidelines for a unified long-term United Nations programme for the advancement of women. In the course of its debate, a number of representatives stated that any long-term programme for the advancement of women established at the national level should be placed within the context of national development and should be adapted to local conditions.[556]

155. At its 1970 session, the Commission on the Status of Women considered its agenda item 4 concerning the development of women's role in society and in that context discussed sub-item (a) regarding the unified long-term programme: the participation of women in the economic and social development of their countries.[557] The Commission had before it the Secretary-General's analysis of the replies to a questionnaire,[558] which, it was stated, showed women's roles were still limited in the majority of developed and developing countries, although a general trend had emerged towards more active participation of women in economic and social life. The report contained a number of suggestions regarding an expansion of technical cooperation and other methods and techniques available through the United Nations system for promoting the long-term programme.

156. The Commission established a Working Group to prepare recommendations on the programme. The Group had before it draft resolutions submitted to the Commission by various members, one of which[559] consisted of a draft resolution for action by the Economic and Social Council in incorporating a draft recommended for adoption by the General Assembly, and containing an annex setting forth a number of general objectives and minimum targets to be achieved during the Second Development Decade in education, training and employment, health and maternity protection, and administration and public life. In the operative part of the draft, the Commission would, inter alia, have the Assembly recommend that concerted efforts should be made to increase resources available for technical cooperation projects which advanced the status of women. The Council, at its fifty-eighth session, approved the resolution, as recommended by the Social Committee,[560] with minor amendments, as its resolution 1511 (XLVIII) of 28 may 1970.[561] At its twenty-fifth session, the Assembly, on the recommendation of its Third Committee,[562] adopted the text unanimously as resolution 2716 (XXV) of 15 December 1970.

g. *Creation of a United Nations Volunteer Corps*

157. At its forty-seventh session, the Economic and Social Council requested the Secretary-General, in cooperation with the Administrator of UNDP and in consultation with other volunteer organizations, to conduct a study on the constitutional, administrative and financial arrangements required for the creation of an international corps of volunteers and to submit his report to the Council at its forty-ninth session, through the Governing Council of UNDP.[563] In the same resolution, the Council set out the criteria for a such a corps:

(*a*) A volunteer should be a person who gives his services without regard to financial benefit and with the purpose of contributing to the development of the recipient country;

(*b*) A volunteer scheme should consist of persons recruited on as wide a geographical basis as possible;

(*c*) Where possible the composition of teams should be on a multinational basis;

(*d*) No volunteer shall be sent to a country without the explicit request or approval of the receiving country.

158. The Economic and Social Council, in discussing the mandate of the Volunteers, had discussed the parameters for youth volunteer activities.[564] Finally, the Council decided to inform the General Assembly at its twenty-fifth session of its final recommendations, and to keep the Assembly informed of its progress during its twenty-fourth session.

159. At its forty-ninth session, the Economic and Social Council had before it a report of the Secretary-General pursuant to Council resolution 1444 (XLVII) of 31 July 1969,[565] recommending that, lacking support for inclusion of the volunteers into the Co-ordinating Committee for International Voluntary Service (CCIVS) or the International Secretariat for Volunteer Service (ISVS), an international corps of volunteers, called the United Nations Volunteers, should be created within the existing frame-

[553] G A resolution 1777(XVII).
[554] A/CONF.32/41, III, resolution IX.
[555] Ibid.
[556] E/4472, para. 15.
[557] E/4831, paras. 44-62.
[558] E/CN.6/515/Rev.1.
[559] E/CN.6/L.595.
[560] E/4870, p. 7.
[561] Ibid.
[562] ESC resolution 1511(XLVIII).
[563] E S C resolution 1444 (XLVII). The concept of an international volunteer corps was first suggested by His Imperial Majesty the Shah of Iran. G A (25), Suppl. No. 3, A/8003 and Add. 1, para. 566.
[564] See E/4790, para. 31, and ACC/R.730.
[565] E/4790, para. 1.

work of the system. The report formulated a set of objectives for volunteers which included the provision of, as additional input to a development project, a new source of manpower, the constructive opportunity for youth to use talent and skills in the implementation of national development plans and programmes of international cooperation, and the promotion of international understanding through an exchange of young people.[566] The Secretary-General recommended that the volunteers be placed in United Nations-assisted projects, rather than Government-mandated projects, and made several recommendations under his proposed policy framework for volunteers pertaining to, inter alia, minimum age of volunteers, the involvement of CCIVS and ISVS, the nature of the commitment required of volunteers and the legal relationship between the volunteers and the United Nations system.[567] The Council also had before it the statements of several NGOs[568] and the report of the Commission on Development of the World Youth Assembly, each containing suggestions for the establishment of a volunteer corps.[569]

160. At its twenty-fifth session, the General Assembly considered the report submitted by the Secretary-General to the Council.[570] The summary noted that in the course of discussion in the Council, representatives indicated that in order to appeal to youth, the programme coordination should avoid excessive bureaucratization.[571] One delegate emphasized the importance of enlisting youth in the organized international development efforts of the United Nations system and urged acceptance of the Secretary-General's recommendations. The members of the Council generally endorsed the report, but some were less favourable towards the centralization of the corps. The Assembly also considered a draft resolution submitted by the Council in its resolution 1539 (XLIX) of 28 July 1970 with a recommendation for its adoption.

161. By its resolution 2659 (XXV) of 17 December 1970, the General Assembly decided to establish the United Nations Volunteers within the existing framework of the United Nations, beginning 1 January 1971, and entrusted the Administrator of UNDP with administration of the Volunteers programme. The Secretary-General was requested to appoint a coordinator for personnel who would also oversee cooperation between the United Nations agencies concerned and with organizations dealing with youth and volunteer programmes. The Assembly set up a voluntary fund for the activities of the Volunteers.

162. At the fifty-first session of the Economic and Social Council, the Administrator of UNDP submitted a report to the Council pursuant to General Assembly resolution 2659 (XXV).[572] The Administrator reported that he had completed arrangements to open an office for the United Nations Volunteers in New York within the framework of UNDP, with a liaison office in Geneva. Following consultations with the organizations and agencies of the United Nations system, ISVS and CCIVS, the Coordinator signed an agreement with ISVS which articulated the conditions and procedures governing mutual cooperation.[573] At the global meeting for UNDP resident representatives held at New Delhi from 14 to 28 February 1971, the representatives provided input regarding the Volunteers programme and were informed of the role they would play in the future. The basic obligations of recipient countries were defined, as well as the rules of conduct and the conditions of service of the Volunteers.[574] The Council adopted resolution 1618 (LI), which recalled with appreciation the initiative of Iran to create the international corps of volunteers and welcomed the appointment of the new Coordinator.[575]

3. Role of the Principal Organs of the United Nations in Respect of Promoting International Educational and Cultural Cooperation

a. *Establishment of a United Nations University*

163. At its twenty-fourth session,[576] the General Assembly welcomed the proposal put forth by the Secretary-General in his report[577] to establish a United Nations university which would be truly international in character and devoted to the Charter objectives of peace and progress and invited the Secretary-General to undertake an expert study on the feasibility of the university, in cooperation with the United Nations Educational, Scientific and Cultural Organization, the United Nations Institute for Training and Research and other organizations concerned. The expert study[578] proposed a decentralized university, with faculties in several countries, with each faculty teaching in two of the five official United Nations languages. Both graduate students and staff should be thoroughly international, and the teaching and research should have an interdisciplinary approach, focusing on global or international issues such as urbanization, communications, pollution, human and natural resources, management sciences, developmental planning and evaluation, disarmament and arms control, worldwide cultural interlinkages, and man and space. The study also examined the organizational and financial aspects of an international university.

164. The expert study, together with extracts from a decision by UNESCO[579] and extracts from a report of the Commission on Education of the World Youth Assembly,[580] was presented to the Economic and Social Council at its forty-ninth session. A draft resolution was submit-

[566]E/4790, para. 32.
[567]Ibid., paras 36-45.
[568]E/C.2/696, para. 9; E/C.2/711, paras. 1, 2.
[569]For example, the Coordinating Committee for International Voluntary Service (CCIVS) supported the idea expressed by the Secretary-General in his report that involving youth to sustain long-term development goals was important, but disagreed with the Secretary-General's proposal for a centralized structure. The Committee argued that the structure should be decentralized to ensure a fast turnaround in the face of emergencies. The Commission, for its part, agreed that the Volunteers should be organized by the United Nations alone, to avoid politicization or infiltration by other organizations. E/L.1347.
[570]G A (25), Suppl. No. 3, A/8003 and Add. 1.
[571]Ibid., para. 563.
[572]E/5028, para. 4.
[573]Ibid., paras. 6-11. Under the agreements, primary responsibility for recruitment and co-ordination of basic training was delegated to the CCIVS and the ISVS. The United Nations Volunteers office in Geneva would coordinate recruitment with the two organizations, and established direct contact with Governments and organizations to respond to their wishes.
[574]Ibid., para. 8 and annex.
[575]See, e.g., G A resolutions 2810 (XVI), 2970 (XXVII), 3125 (XXVII); documents E/5280, A/8403, E/5146, A/8703, E/5498/Corr.1.
[576]G A resolution 2573 (XXIV).
[577]G A (24), Suppl. No. 1 A, A/7601/Add.1, paras. 196 and 197.
[578]E/4878.
[579]E/4897.
[580]E/L.1351.

ted[581] and an amended draft resolution was adopted by the Council,[582] requesting the Secretary-General to report on the matter to the General Assembly and inviting UNESCO to present its views to the Assembly at its twenty-fifth session.

165. The General Assembly, at its twenty-fifth session, allocated the question of a United Nations University to its Second Committee. On the basis of the documents before it,[583] the Committee adopted a draft resolution, subsequently adopted by the Assembly as resolution 2691 (XXV) of 11 December 1970, inviting UNESCO, in cooperation with the United Nations organizations concerned and the university community throughout the world, to undertake studies on the educational, financial and organizational aspects of an international university.

166. The first such study was presented in a note by the Secretary-General transmitting the progress report of the Panel of Experts[584] and a report by the Secretary-General,[585] which were transmitted to the resumed fifty-first session of the Economic and Social Council. The Council, lacking the time to discuss the reports, adopted resolution 1653 (LI) of 23 November 1971, transmitting the report of the Secretary-General to the General Assembly for consideration at its twenty-sixth session, together with a recommendation that the Assembly defer consideration of the item to its twenty-seventh session in order that the Economic and Social Committee might have an opportunity to submit to the Assembly recommendations of a concrete nature. On the recommendation of the Council and of the Second Committee,[586] the Assembly, at its twenty-sixth session, adopted the draft resolution,[587] deciding to consider the matter fully at its twenty-seventh session and requesting the Secretary-General to continue his studies. The Assembly also invited UNESCO to report to the Council any further observations and recommendations it might consider appropriate, and requested the Council to submit a report to the General Assembly.

167. At its resumed fifty-third session, the Economic and Social Council had before it a statement by various NGOs,[588] the report of the Coordinating Committee,[589] a text adopted by the Executive Board of UNESCO[590] and a note by the Secretary-General[591] transmitting the report of the Panel of Experts on its third session, recommending, inter alia, the establishment of a Founding Committee. The resolution adopted by the Council[592] recommended that the General Assembly take a decision on the creation of an international university at its twenty-seventh session and take practical steps on implementation, including the creation of a founding committee to draw up the charter of the university.

168. At the twenty-seventh session, the General Assembly had before it a note by the Secretary-General transmitting a resolution adopted by the General Conference of UNESCO,[593] a draft resolution,[594] the report of the Second Committee[595] and an addendum to the report of the Economic and Social Council.[596] On the recommendation of the Second Committee, the General Assembly adopted resolution 2951 (XXVII) of 11 December 1972, establishing an international university under the auspices of the United Nations, to be known as the United Nations University. In the same resolution, the Assembly articulated a functional and conceptual blueprint: the University would consist of a system of academic institutions, closely coordinated with the activities of UNESCO, UNITAR and other organizations of the United Nations system. The structure would consist of a programming and coordinating central organ, as well as a decentralized system of affiliated institutions, each devoted to the postgraduate training of young scholars, and action-oriented research into the pressing global problems of human survival, development and welfare, which were of concern to the United Nations and its agencies. The research programmes of the University institutions would include, inter alia, coexistence between peoples of different cultures, tongues and social systems, peaceful relations between States and the maintenance of peace and security, human rights, economic and social change and development, the environment and the proper use of resources, and the application of science and technology to development.[597] The Assembly requested the Secretary-General to establish a Founding Committee of the United Nations University[598] to define further the objectives and principles of the University and to draft its charter. In addition, it requested the Secretary-General to commence efforts to raise the necessary funds and make recommendations to the Assembly concerning the location of the programming and coordinating centre and of the other institutions, in consultation with the Director-General of UNESCO and the Executive Director of UNITAR. The Secretary-General was also requested to submit the draft charter through the Council to the General Assembly at its twenty-eighth session. The Assembly invited the Executive Board of UNESCO to submit to the Assembly at its twenty-eighth session comments and observations on the draft charter.

169. At its twenty-eighth session, the General Assembly had before it, inter alia, the report of the Secretary-General containing the report of the Founding Committee,[599] the comments and observations of the Executive Board of UNESCO on the draft Charter proposed by the Founding Committee,[600] a revised text of the draft Charter produced

[581] E/L.1354.
[582] E S C resolution 1542 (XLIX).
[583] These included a note and report of the Secretary-General, the latter of which contained annexes comprising a report by the Director-General of UNESCO, an extract from the report of the Programme Commission to the General Conference of UNESCO, resolution 1.241 adopted by the General Conference of UNESCO at its sixteenth session, the views of the Board of Trustees of UNITAR and a letter from the Secretary-General to the Executive Director of UNITAR. A/8067 and A/8282.
[584] E/L.1461.
[585] A/8510 transmitted to the Council by a note of the Secretary-General (E/5083).
[586] A/8596.
[587] G A resolution 2822 (XVI).
[588] E/C.2/757.
[589] E/5213.
[590] E/5155/Add.1.
[591] E/5155.
[592] E S C resolution 1731 (LIII), paras. 2 and 3.
[593] A/8898.
[594] A/C.2/L.1268.
[595] A/8924.
[596] G A (27), Suppl. No. 3A, A/8703/Add.1.
[597] G A resolution 2951 (XXVII), para. 2.
[598] Under the terms of the resolution, half of the Committee was to be designated by the Secretary-General and the other half by the Director-General of UNESCO, in consultation with the specialized agencies and programmes concerned. Ibid., para. 3.
[599] A/9149, transmitted to the Assembly by the Council at its fifty-fifth session in its resolution 1829 (LV).
[600] A/9149/Add.1.

by the Secretary-General,[601] a report of the Advisory Committee on Administrative and Budgetary Questions,[602] a report of the Second Committee containing a revised draft resolution,[603] an addendum to the report by the Economic and Social Council[604] and the report of the Fifth Committee.[605] The Assembly took a decision[606] adopting the Charter of the United Nations University and locating the centre of the University at Tokyo. Capital and recurrent costs were to be met from voluntary contributions from Governments, foundations, universities and individuals. The Assembly also recommended that the University Council, established in accordance with the University Charter, should take into consideration the views expressed in the General Assembly when deciding on the location of research and training centres and programmes of the University, and recommended that the University Council consider as a priority task the relationship between UNITAR and the University, including possible areas of cooperation in research and training.

b. *Preservation and further development of cultural values*

170. During the period under review, while the General Assembly and the Economic and Social Council worked closely with UNESCO regarding the promotion of international cultural cooperation, UNESCO has played the principal role in implementing this provision of Article 55, in part through the deliberations and resolutions adopted at its General Conferences, in part through the implementation of Assembly and Council mandates. Its activities in this regard[607] included the convening of the Intergovernmental Conference on the Institutional, Administrative and Financial Aspects of Cultural Policies at Venice in 1970, as well as several regional Intergovernmental Conferences on Cultural Policies, and the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

171. At its twenty-third session, the General Assembly had invited the Secretary-General to undertake, with the assistance of, inter alia, the Advisory Committee on the Application of Science and Technology to Development, a study of the problems of human rights arising from developments in science and technology, in particular including the balance to be established between scientific and technological progress and the intellectual, spiritual, cultural and moral advancement of humanity. The Secretary-General was requested to submit his report to the Commission on Human Rights at its twenty-sixth session for consideration and transmittal, through the Council, to the Assembly at its twenty-fifth session.[608]

172. At its twenty-seventh session,[609] the General Assembly allocated the item entitled "Human rights and scientific and technological developments" to its Third Committee. The Committee had before it the Secretary-General's preliminary reports on human rights and scientific and technological developments,[610] as well as the 1971 decision of the Commission on Human Rights. Of the two draft resolutions adopted by the Committee on the topic, the draft most directly relevant to the present section would have the Assembly invite Governments to provide in their national development plans and programmes for the preservation and development of cultural values the measures already taken by the international community, and request the Director-General of UNESCO to communicate to the Assembly at its twenty-eighth session his views on the problem of preservation and further development of cultural values, , and on further measures that should be taken by the Economic and Social Council and the Commission on Human Rights. On the recommendation of the Third Committee, the Assembly adopted the draft text as resolution 3026 A (XXVII) of 18 December 1972.

173. At its twenty-eighth session, the General Assembly considered the item entitled "Human rights and scientific and technological developments". The Third Committee had before it the report of the Director-General of UNESCO submitted pursuant to resolution 3026 A (XXVII). The Assembly, on the recommendation of the Third Committee, adopted resolution 3148 (XXVIII) of 14 December 1973 on preservation and further development of cultural values, in which it took note of the UNESCO report and urged Governments to make cultural values, both material and spiritual, an integral part of development efforts. The Assembly recognized that contacts and exchanges among various cultures, conducted on the basis of equality and with due regard to the principle of sovereignty of States, might contribute positively to the enrichment and development of national cultures and regional cultural values. In the same vein, the Assembly appealed to all Member States to respect national legislation for the protection of the artistic heritage, and requested the Director-General of UNESCO to report to the Assembly at its thirty-first session on the progress made in the implementation of the resolution.

174. At its thirty-first session, the General Assembly, on the recommendation of the Third Committee,[611] requested the Director-General of UNESCO to submit to the Assembly early in 1978 a progress report on the implementation of resolution 3148 (XXVIII) and further requested him to continue efforts and research in this field. In accordance

[601] A/9149/Add.2.
[602] A/9368.
[603] A/9315.
[604] G A (28), Suppl. No. 3A, A/9003/Add.1.
[605] A/9384.
[606] G A resolution 3081 (XXVIII).
[607] See also A/31/111.
[608] A/9090/Rev.1, pp. 111-113.

[609] At its twenty-fifth session, the Assembly requested the Secretary-General to continue to study the problems relating to human rights in the context of developments in science and technology and requested the Commission on Human Rights to give priority to examining the preliminary report on the item. See G A resolution 2721 (XXV). The Commission, having considered the preliminary report of the Secretary-General, adopted resolution 10 (XXVII) recognizing the need during the Second United Nations Development Decade to concentrate its attention on the problem, and requested the Secretary-General to continue his study, taking into account, inter alia, the possibility of using science and technology to improve the enjoyment of cultural rights.
[610] E/CN.4/1028 and Add.1-6 and Add.3/Corr.1 and 2; E/CN.4/1084; A/8787.
[611] A/31/294.

with resolution 31/39, the item "Preservation and further development of cultural values" was included in the provisional agenda of the thirty-third session of the General Assembly. On the recommendation of the General Committee, the Assembly decided to include the item on its agenda and to allocate it to the Third Committee.[612] In considering the item, the Committee had before it a note by the Secretary-General transmitting the report of the Director-General of UNESCO[613] and a letter from a delegation to the Secretary-General transmitting the text of the resolutions adopted at the Ninth Islamic Conference of Foreign Ministers held in April 1978. At the 63rd meeting of the Committee, the Assistant Director-General for Culture and Communications of UNESCO introduced the item, and a draft resolution was submitted by one of its sponsors. The Committee adopted without a vote the revised version of the draft resolution on the preservation and further development of cultural values,[614] by which the Assembly would note the resolutions of the 1976 General Conference of UNESCO and take into account the results of the Meeting of Experts on the Preservation and Further Development of Cultural Values convened by UNESCO. The Assembly, referring particularly to article 15 of the International Covenant on Economic, Social and Cultural Rights,[615] emphasized the cultural dimension of development as an integral part of the development process, and noted with satisfaction that, since the adoption of General Assembly resolution 3148 (XXVIII), Governments and international organizations had turned their attention to the importance of the preservation, renewal and continuous creation of cultural values and cooperation between States had been developing to that end. The Assembly welcomed with appreciation the work of UNESCO in that regard, and called upon UNESCO to continue its activities, particularly in promoting and assisting international cooperation among States and in encouraging the international exchange of information in this area.

175. At its 71st and 72nd meetings, the Committee considered another draft resolution, also adopted in revised form.[616] Addressing the protection, restitution and return of cultural and artistic property as part of the preservation and further development of cultural values, the General Assembly, by the terms of the resolution, would reaffirm that restitution of cultural or artistic treasures constituted a step forward in the strengthening of international cooperation and the preservation and further development of cultural values. In that light, the Assembly, inter alia, welcomed the establishment of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation,[617] and invited all Governments to accede to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. On the recommendation of the Committee, the Assembly on 14 December 1978 adopted the two draft resolutions as resolutions 33/49 and 33/50, respectively.[618]

[612] A/33/470, paras. 1-3.
[613] A/33/157.
[614] A/33/470, para. 11.
[615] Reaffirming the right of everyone to participate in the preservation and development of culture. G A resolution 2200 A (XXI), annex.

[616] A/C.3/33/L.60, and /Rev.1.
[617] Ibid., para. 2, statutes of which were approved at the UNESCO General Conference held in October/November 1978.
[618] See G A (33), plen., 84th mtg.

II. HUMAN RIGHTS

A. General survey

1. Decisions Mainly of a Preparatory, Procedural or Coordinating Nature

176. The Commission on Human Rights, the Commission on the Status of Women, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa,[619] the United Nations Council for Namibia[620] and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories continued to assist the Economic and Social Council in the performance of its functions with respect to human rights. The Council authorized the Sub-Commission to appoint a working group of five among its members to consider in private meetings all communications, including replies of Governments thereon, received by the Secretary-General under Council resolution 728 F (XXVIII) of 30 July 1959, which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms, with a view to determining whether to refer to the Commission on Human Rights particular situations requiring consideration by the Commission.[621]

177. The General Assembly established a Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, consisting of nine Member States, to study all aspects of the financing of the Agency.[622]

178. The General Assembly authorized the Secretary-General to set up a panel of 15 experts on the establishment of an international university for the purpose of assisting the Secretary-General in his further consultations

[619] GA resolution 2671 A (XXV) of 8 December 1970 expanded the membership of the Special Committee by seven additional members.
[620] The membership of the Council was enlarged from 11 to 18 members by GA resolution 3031 (XXVII) and from 18 to 25 members by GA resolution 3295 VII (XXIX).

[621] ESC resolution 1503 (XLVIII), regarding the procedure for dealing with communications relating to violations of human rights and fundamental freedoms.
[622] GA resolution 2656 (XXV).

and studies on the question.[623] In the following year, the Assembly increased the membership of the Panel of Experts to 20 members to allow for the designation of five additional experts by the Director-General of UNESCO, in consultation with the Secretary-General and interested agencies and programmes.[624]

179. During the period under review, the Economic and Social Council decided that the Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders, established under General Assembly resolution 415 (V) of 1 December 1950, would be renamed the Committee on Crime Prevention and Control and that it should report to the Commission for Social Development and, as appropriate on particular aspects, to the Commission on Human Rights and the Commission on Narcotic Drugs.[625] The Council also enlarged the membership of the Committee of Experts from 10 to 15.[626]

180. The General Assembly approved, within the work programme of the Commission for Social Development, the establishment of the Working Group on Standard Minimum Rules for the Treatment of Prisoners to advise on methods of strengthening the implementation of the Rules and of improving the reporting procedures thereon.[627]

181. The Sub-Commission on Prevention of Discrimination and Protection of Minorities designated among its members a Special Rapporteur on the rights of persons belonging to ethnic, religious and linguistic minorities,[628] a Special Rapporteur on the question of the prevention and punishment of the crime of genocide[629] and a Special Rapporteur on the problem of discrimination against indigenous populations.[630]

182. The General Assembly approved the recommendation of the Secretary-General to convene an Ad Hoc Advisory Group on Youth to advise him on activities that should be undertaken by the United Nations to meet the needs and aspirations of youth.[631]

183. The General Assembly established an Ad Hoc Committee on International Terrorism consisting of 35 Member States to consider the observations of States and proposals for finding an effective solution to the problem of international terrorism which endangered or took innocent human lives or jeopardized fundamental freedoms.[632]

184. The General Assembly established a representative Commission of Inquiry on the Reported Massacres in Mozambique, consisting of five Member States, to carry out an investigation of the reported atrocities, to gather information from all relevant sources, to solicit the cooperation and assistance of the national liberation movement and to report its findings to the Assembly as soon as possible.[633]

185. The Sub-Commission on Prevention of Discrimination and Protection of Minorities appointed among its members a Special Rapporteur on the exploitation of labour through illicit and clandestine trafficking.[634]

186. During the period under review, the Economic and Social Council approved the decisions of the Commission on Human Rights to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a Special Rapporteur on 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,[635] and a Special Rapporteur to analyse the report of the Secretary-General on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination.[636] The Council also authorized the Sub-Commission: (a) to designate from among its members a Special Rapporteur on the historical and current development of the right of peoples to self-determination, on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms;[637] and (b) to establish a working group composed of five of its members on the question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism.[638] It further authorized the Commission on Human Rights to establish a working group composed of five of its members to meet one week before any session of the Commission to examine the documents transmitted by the confidential resolution of the Sub-Commission under Council resolution 1503 (XLVIII) of 27 May 1970, together with written observations of the Governments and any further report that the Sub-Commission might submit under that resolution.[639]

187. The Sub-Commission appointed among its members a Special Rapporteur on:(a) the duties of the individual to the community and the limitations on human rights and freedoms under article 29 of the Universal Declaration of Human Rights;[640] and (b) the problem of the applicability of existing international provisions for the protection of human rights to individuals who were not citizens of the country in which they lived.[641]

188. The General Assembly established a World Food Council at the ministerial or plenipotentiary level to function as an organ of the United Nations, which would report to the General Assembly through the Economic and Social Council and have the purposes, functions and mode of operation set forth in resolution XXII which was adopted by the World Food Conference on 16 November 1974.[642]

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[623]GA resolution 2691 (XXV).
[624]GA resolution 2822 (XXVI).
[625]ESC resolution 1584 (L).
[626]Ibid.
[627]GA resolution 2858 (XXVI) of 20 December 1971.
[628]Sub-Commission resolution 6 (XXIV), based on ESC resolution 1418 (XLVI).
[629]Sub-Commission resolution 7 (XXIV), based on ESC resolution 1420 (XLVI).
[630]Sub-Commission resolution 8 (XXIV), based on ESC resolution 1589 (L).
[631]GA resolution 3022 (XXVII).
[632]GA resolution 3034 (XXVII).
[633]GA resolution 3114 (XXVIII).
[634]Sub-Commission resolution 6 (XXVI), based on ESC resolution 1789 (LIV).
[635]ESC resolution 1864 (LVI), based on Commission on Human Rights resolution 3 (XXX).
[636]ESC resolution 1866 (LVI), based on Commission on Human Rights resolution 5 (XXX).
[637]ESC resolution 1865 (LVI), based on Commission on Human Rights resolution 4 (XXX), and Sub-Commission resolution 5 (XXVI).
[638]ESC decision 16 (LVI), based on Sub-Commission resolution 7 (XXVI).
[639]ESC decision 15 (LVI), based on Commission decision 3 (XXX).
[640]Sub-Commission resolution 9 (XXVII).
[641]Sub-Commission resolution 10 (XXVII).
[642]GA resolution 3348 (XXIX).

189. The Economic and Social Council recommended that intergovernmental organizations, specialized agencies and organs of the United Nations system, within the framework of the Administrative Committee on Coordination, interested in international migration, establish an ad hoc group to study the appropriate measures related, inter alia, to the defence of the rights of migrant workers and of their families.[643]

190. The Economic and Social Council approved the decision of the Commission on Human Rights to set up an Ad Hoc Working Group to inquire into the situation of human rights in Chile.[644]

191. The General Assembly established a Committee on the Exercise of the Inalienable Rights of the Palestinian People, composed of 20 Member States, to consider and recommend to it a programme of implementation by the Palestinian people of the right to self-determination.[645]

192. The General Assembly invited the Secretary-General to appoint a group of experts on the establishment, under the auspices of the United Nations, of an International Research and Training Institute for the Advancement of Women, consisting of five to 10 experts, to draw up the terms of reference and structural organization of the Institute.[646]

193. The Commission on Human Rights established an open-ended working group on the draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief.[647]

194. The Economic and Social Council decided that a sessional working group of the Council should be established whenever reports regarding the implementation of the International Covenant on Economic, Social and Cultural Rights were due for consideration by the Council, in order to assist the Council in their consideration.[648]

195. The Sub-Commission on Prevention of Discrimination and Protection of Minorities decided to appoint a Special Rapporteur to formulate, in cooperation with the Secretariat, the first draft of a body of principles for the protection of all persons under any form of detention or imprisonment.[649]

196. The Economic and Social Council decided to appoint a Special Rapporteur to prepare a study on the impact of the mass communication media on the changing roles of men and women.[650]

197. The Sub-Commission on Prevention of Discrimination and Protection of Minorities appointed among its members two Special Rapporteurs on the implications for human rights of situations known as state of siege or emergency,[651] and a Special Rapporteur on the impact of foreign economic aid and assistance on respect for human rights in Chile.[652]

198. The General Assembly established an Advisory Committee for the International Year for Disabled Persons, composed of the representatives of 15 Member States to consider the draft programme for the International Year prepared by the Secretary-General.[653]

199. The Economic and Social Council authorized the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a working group of five of its members to prepare a revised draft body of principles for the protection of all persons under any form of detention or imprisonment.[654]

200. The Council authorized[655] the establishment of an open-ended working group of the Commission on Human Rights to consider the matters referred to the Commission by the General Assembly in its resolution 32/130 of 16 December 1977, entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

201. The Economic and Social Council established a working group open to all States Members of the United Nations to formulate specific proposals to be submitted to the Commission on Human Rights in order to enable the Commission to consider fully and in depth the question of migrant workers.[656]

202. The Economic and Social Council requested its President to nominate 23 members of the Preparatory Committee for the World Conference of the United Nations Decade for Women.[657]

203. The General Assembly invited the Commission on Human Rights to appoint a Special Rapporteur on the situation of human rights in Chile.[658]

204. The General Assembly recommended that a working group should be established at the beginning of its thirty-fourth session to continue elaboration of the draft Code of Conduct for Law Enforcement Officials.[659]

205. As in the past, references to, or paraphrases of, Article 55 occurred in only a few decisions concerning human rights problems in the General Assembly[660] and the Economic and Social Council.[661]

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[643]ESC resolution 1926 B (LVIII).

[644]ESC decision 80 (LVIII), based on Commission on Human Rights resolution 8 (XXXI).

[645]GA resolution 3376 (XXX). The membership of the Committee was enlarged from 20 to 23 by GA decision 31/318.

[646]GA resolution 3520 (XXX).

[647]Commission on Human Rights decision 7 (XXXII). See also Commission resolution 11 (XXXIII).

[648]ESC resolution 1988 (LX).

[649]Sub-Commission decision.

[650]ESC resolution 2063 (LXII) and ESC decision 1978/79.

[651]Sub-Commission resolution 10 (XXX).

[652]Sub-Commission resolution 11 I (XXX).

[653]GA resolution 32/133. The membership of the Advisory Committee was enlarged from 15 to 23 members by GA resolution 33/170.

[654]ESC resolution 1978/17.

[655]ESC decision 1978/20.

[656]ESC resolution 1978/22.

[657]ESC resolution 1978/31.

[658]GA resolution 33/175.

[659]GA resolution 33/179.

[660]See, for example, GA resolution 2625 (XXV) of 24 October 1970 relating to the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, especially the principle concerning the duty of States to cooperate with one another in accordance with the Charter; GA resolution 3068 (XXVIII) of 30 November 1973 relating to the International Convention on the Suppression and Punishment of the Crime of Apartheid; GA resolution 3452 (XXX) of 9 December 1975 relating to the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; GA resolution 32/105 M of 14 December 1977 relating to the International Declaration against Apartheid in Sports; GA resolution 33/100 of 16 December 1978 relating to the results of the World Conference to Combat Racism and Racial Discrimination.

[661]See, for example, ESC resolutions 1592 (L) and 1768 (LIV).

206. As before, the General Assembly and the Economic and Social Council continued to make requests to the Secretary-General, subsidiary bodies and specialized agencies for studies, reports and other preparatory work to serve as a basis for further action.[662] The General Assembly, the Economic and Social Council, the Commission on Human Rights and the Commission on the Status of Women took decisions relating to the preparation of declarations and international conventions on specific aspects of human rights.[663]

207. As in the past, recommendations were addressed to Member States concerning the implementation of certain human rights instruments adopted by the General Assembly.[664]

208. Requests for studies, reports or information were also addressed to Governments concerning, inter alia, the International Year for Action to Combat Racism and Racial Discrimination,[665] the punishment of war criminals and of persons who have committed crimes against humanity,[666] the elimination of all forms of religious intolerance,[667] the exploitation of labour through illicit and clandestine trafficking,[668] the Decade for Action to Combat Racism and Racial Discrimination,[669] the implementation of the Declaration on the Elimination of Discrimination against Women and of related instruments,[670] protection against torture and other cruel, inhuman or degrading treatment or punishment,[671] capital punishment,[672] implementation of the World Plan of Action adopted by the World Conference of the International Women's Year,[673] implementation of the International Covenant on Economic, Social and Cultural Rights,[674] implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[675] the functioning of national and local institutions in the field of human rights[676] and the improvement of the status and role of women in education and in the economic and social fields for the achievement of the equality of women with men.[677]

209. During the period under review, the Commission on Human Rights, with the assistance of its Ad Hoc Committee on Periodic Reports on Human Rights, considered at its twenty-sixth session in 1970[678] and its twenty-seventh session in 1971[679] the reports on economic, social and cultural rights for the period from 1 July 1966 to 30 June 1969, and at its thirty-first session in 1975[680] the reports on economic, social and cultural rights for the period from 1 July 1969 to 30 June 1973. The Commission noted the encouraging number of reports received and expressed the hope that the participation of Governments in the reporting system would continue to increase. It believed that the reports on economic, social and cultural rights and the information available from other United Nations sources revealed trends, characteristics and problems of special importance and common interest. It noted the contribution to the advancement of human rights made by those States which had submitted reports. It deplored the absence of information on the exercise of economic, social and cultural rights in some Territories still under colonial rule. It recommended that Governments provide more detailed information in their periodic reports on difficulties which they had experienced in ensuring the full enjoyment of human rights, and on the methods and measures which had been applied to overcome such difficulties. It invited Governments, in submitting their reports, to follow as closely as possible the outline of headings furnished by the Secretary-General and concentrate on information relevant to the reporting period and the provisions of Economic and Social Council resolution 1074 C (XXXIX) of 28 July 1965. The Commission emphasized that it was only

[662]See, for example, GA resolutions 2649 (XXV), 2691 (XXV), 2764 (XXVI), 2775 (XXVI), 2878 (XXVI), 2840 (XXVI), 2909 (XXVII), 3016 (XXVII), 3030 (XXVII), 3032 (XXVII), 3137 (XXVIII), 3490 (XXX), 3505 (XXX), 3377 (XXX), 3416 (XXX), 3448 (XXX), 3453 (XXX), 3458 A (XXX), 3520 (XXX), 3523 (XXX), 31/38, 31/127 and 31/129, 31/153, 32/9 G, 32/14, 32/105 B, 32/117, 32/130, 33/7, 33/51, 33/99, 33/109, 33/171 and 33/184; see also ESC resolutions 1503 (XLVIII), 1516 (XLVIII), 1589 (L), 1651 (LI), 1673 D (LII), 1691 (LII), 1706 (LIII), 1740 (LIV), 1749 (LIV), 1864 (LVI), 1866 (LIV), 1926 A (LVIII), 1930 (LVIII), 1959 (LIX), 1962 (LIX), 1988 (LX), 1993 (LX), 1998 (LX), 1999 (LX), 2059 (LXII), 2078 (LXII), 2111 (LXIII), 2120 (LXIII), 1978/22 and 1978/33.

[663]See, for example, GA resolutions 2673 (XXV) of 9 December 1970 relating to the protection of journalists engaged in dangerous missions in areas of armed conflict; 2784 II (XXVI) of 6 December 1971 relating to the elimination of all forms of racial discrimination; 2922 (XXVII) of 15 November 1972 relating to the crime of apartheid; 3028 (XXVII) of 18 December 1972 relating to adoption law; 3069 (XXVIII) of 30 November 1973, 32/143 of 16 December 1977 and 33/106 of 16 December 1978 relating to the elimination of all forms of religious intolerance; 3269 (XXIX) of 10 December 1974 relating to the use of scientific and technological progress in the interests of peace and for the benefit of mankind; 3272 (XXIX) of 10 December 1974 and 3456 (XXX) of 9 December 1975 relating to territorial asylum; 3521 (XXX) of 15 December 1975 and 32/136 of 16 December 1977 relating to the elimination of discrimination against women; 31/6 F of 9 November 1976 and 32/105 M of 14 December 1977 relating to apartheid in sports; 32/62 of 8 December 1977 relating to torture and other cruel, inhuman or degrading treatment or punishment; 32/142 of 16 December 1977 relating to the participation of women in the struggle for the strengthening of international peace and security and against colonialism, racism, racial discrimination, foreign aggression and occupation and all forms of domination, and 33/163 of 20 December 1978 relating to the human rights and dignity of all migrant workers; see also ESC resolutions 1750 (LIV) of 16 May 1973 relating to adoption law; 1794 (LIV) of 18 May 1973 relating to an international code of police ethics; 1925 (LVIII) of 6 May 1975 relating to adoption and foster placement of children; 2058 (LXII) of 12 May 1977 relating to the elimination of discrimination against women, and 1978/18 of 5 May 1978 relating to the rights of the child.

[664]See, for example, GA resolutions 2840 (XXVI) of 18 December 1971, 2920 (XXVII) of 15 November 1972, 3010 (XXVII) of 18 December 1972, 3324 E (XXIX) of 16 December 1974, 3225 (XXIX) of 6 November 1974, 3266 (XXIX) of 10 December 1974, 3342 (XXIX) of 17 December 1974, 3411 G (XXX) of 10 December 1975, 3448 (XXX) of 9 December 1975, 3521 (XXX) of 15 December 1975, 31/77 of 13 December 1976, 31/86 of 13 December 1976, 31/127 of 16 December 1976, 32/12 of 7 November 1977, 32/120 of 16 December 1977, 33/90 of 15 December 1978, 33/169 of 20 December 1978, 33/173 of 20 December 1978 and 33/183 N of 24 January 1979; also ESC resolutions 1677 (LII) of 2 June 1972, 1681 (LII) of 2 June 1972, 1695 (LII) of 2 June 1972, 1852 (LVI) of 16 May 1974, 1959 (LIX) of 28 July 1975, 1988 (LX) of 11 May 1976 and 1978/26 of 5 May 1978.

[665]GA resolution 2785 (XXVI).
[666]GA resolution 2840 (XXVI).
[667]GA resolutions 3027 (XXVII) and 3069 (XXVIII).
[668]ESC resolution 1789 (LIV).
[669]GA resolution 3057 (XXVIII).
[670]ESC resolution 1852 (LVI).
[671]GA resolutions 3218 (XXIX) and 32/63.
[672]ESC resolution 1930 (LVIII).
[673]GA resolutions 3490 (XXX) and 3520 (XXX).
[674]ESC resolution 1988 (LX).
[675]GA resolutions 31/81 and 32/13.
[676]GA resolution 33/46.
[677]GA resolution 33/184.
[678]E/CN.4/1011 and Add. 1-8, E/CN.4/1012 and Add. 1.
[679]E/CN.4/1011/Add. 9-17.
[680]E/CN.4/1155 and Add. 1-28, E/CN.4/1156 and Add. 1 and 2.

through the timely submission of concise reports that the international community could appreciate both the progress achieved and problems still to be overcome.[681]

210. In the same period, the Commission also considered at its twenty-ninth session in 1973,[682] with the assistance of its Ad Hoc Committee on Periodic Reports on Human Rights, the reports on freedom of information for the period from 1 July 1967 to 30 June 1970. The Commission considered that those reports revealed inter alia: the continuing efforts on the part of Governments to facilitate freedom of information in conformity with article 19 of the Universal Declaration of Human Rights; the increasing exchange of information as a result of cooperation among States; the continued uneven distribution of mass media facilities, despite important technological advances; the continuing efforts of developing countries to raise standards of information collection and dissemination and to improve information facilities; the concern of certain Governments regarding the possibility that the mass media might be used for interference in the internal affairs of other States; the awareness of problems created by technological advancement in the field of the mass media, such as restrictions of fundamental rights and freedoms and the invasion of privacy; the adoption by some Governments of measures prohibiting war propaganda and advocacy of national, racial or religious hatred or discrimination. The Commission deplored the absence of information on the exercise of freedom of expression and freedom of information in some Territories still under colonial rule. It noted that a number of Governments had not submitted reports covering the period under review and expressed the hope that an increasing number of Governments would report in the future.[683]

211. The Commission further considered at its twenty-ninth session in 1973[684] and its thirtieth session in 1974,[685] with the assistance of its Ad Hoc Committee on Periodic Reports on Human Rights, the reports on civil and political rights covering the period from 1 July 1968 to 30 June 1971. The Commission noted that only a relatively small number of Governments had submitted those reports; it recalled Economic and Social Council resolution 1596 (L) of 21 May 1971[686] and expressed the hope that the establishment of the new cycle would enable additional Governments to submit reports. It also noted the importance of reports devoted to the problems of the implementation of the right of peoples to independence, deplored that little information was being furnished concerning the exercise of that right in Non-Self-Governing Territories and expressed the hope that more information on the subject might become available in the future. It regretted that many reports were limited solely to constitutional and legislative provisions and expressed the belief that reports were more valuable when they referred to special problems encountered, measures taken to deal with them and results obtained. It invited Governments to indicate administrative and other efforts made to inform the people of the scope of their rights, in particular those derived from national and international instruments, and to promote the enjoyment of those rights by all. It considered it most important that Governments indicate the limitations that they had imposed on the exercise of civil and political rights and, in cases of emergency measures, specify the extent to which individual freedoms could still be enjoyed, the constitutional and other safeguards which remained valid and the legal process by which civil and political rights would be fully restored.[687]

212. At its fiftieth session, by its resolution 1596 (L), the Economic and Social Council recognized that the number of reporting obligations imposed upon Member States might make more difficult the preparation of comprehensive periodic reports on human rights each year. It decided that Member States should be asked to submit reports once every two years in a continuing cycle: the first, on civil and political rights, to be submitted in 1972; the second, on economic, social and cultural rights, in 1974; the third, on freedom of information, in 1976. It recalled earlier resolutions adopted on the matter by the Commission on Human Rights and expressed the hope that an increasing number of Member States would report in the future.

2. Creation of New Specialized Agencies

213. At its twenty-ninth session, the General Assembly adopted resolution 3346 (XXIX) of 17 December 1974[688] in which it approved the Agreement between the United Nations and the World Intellectual Property Organization, and recognized the World Intellectual Property Organization as a specialized agency in accordance with the provisions of Article 57 of the Charter of the United Nations.

214. At its thirty-second session, the General Assembly adopted resolution 32/107 of 15 December 1977[689] in which it approved the Agreement between the United Nations and the International Fund for Agricultural Development and recognized IFAD as a specialized agency in accordance with the provisions of Articles 57 and 63 of the Charter of the United Nations.

3. Recommendations and Other Decisions Designed Generally to Influence States, Organized or Unorganized Groups or World Opinion at Large

215. The General Assembly and the Economic and Social Council continued to take decisions and to make recommendations aimed at influencing the action of States and others as regards respect for human rights and fundamental freedoms. Those decisions and recommendations were mainly concerned with the question of the implementation of certain instruments approved by the General Assembly and relating to such subjects as education of youth,[690] elimination of all forms of racial discrimination,[691] the policies of apartheid of the Government of South Africa,[692] the granting of independence to colonial countries and peoples,[693] the problem of indigenous populations,[694] punishment of war criminals and of persons who

[681]Commission on Human Rights resolutions 13 (XXVI), 18 (XXVII) and 12 (XXXI).
[682]E/CN.4/1066 and E/CN.4/1067 and Add. 1 and 2.
[683]Commission on Human Rights resolution 23 (XXIX).
[684]E/CN.4/1098 and Add. 1-17 and E/CN.4/1100 and Add. 1.
[685]E/CN.4/1098/Add. 18-25.
[686]See para. 212.
[687]Commission on Human Rights resolutions 24 (XXIX) and 12 (XXX).
[688]Based on E S C resolution 1890 (LVII).
[689]Based on E S C resolution 2104 (LXIII).
[690]GA resolution 2633 (XXV).
[691]GA resolution 2646 (XXV).
[692]GA resolution 2671 D (XXV).
[693]GA resolution 2708 (XXV).
[694]ESC resolution 1589 (L).

have committed crimes against humanity,[695] respect for human rights in armed conflicts,[696] capital punishment,[697] the administration of justice,[698] elimination of discrimination against women,[699] status of the unmarried mother,[700] slavery and the slave trade,[701] exploitation of labour through illicit and clandestine trafficking,[702] permanent sovereignty over natural resources of developing countries,[703] equal pay for equal work,[704] migrant workers,[705] the aged and social security,[706] needs and aspirations of youth,[707] political rights,[708] torture and other cruel, inhuman or degrading treatment or punishment,[709] elimination of all forms of religious intolerance,[710] restitution of works of art to countries victims of expropriation,[711] legal capacity of married women,[712] status of women and family planning,[713] status of rural women,[714] the question of Namibia,[715] the question of Southern Rhodesia,[716] assistance to the Territories still under Portuguese domination,[717] status of women and integration of women in development,[718] equality of men and women,[719] food problems,[720] employment of women in the United Nations Secretariat,[721] human rights of all persons subjected to any form of detention or imprisonment,[722] apartheid in sports,[723] rights of disabled persons,[724] policies and programmes relating to youth,[725] permanent sovereignty over national resources in the occupied Arab territories,[726] equal treatment in the field of education and training,[727] and the right to freedom of thought, conscience and religion.[728]

216. The General Assembly continued to affirm the concept of human rights and fundamental freedoms in a number of preambular paragraphs[729] and in connection with certain specific rights and freedoms elaborated in such instruments as the Declaration on the Rights of Mentally Retarded Persons,[730] the International Convention on the Suppression and Punishment of the Crime of Apartheid,[731] the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,[732] the Universal Declaration on the Eradication of Hunger and Malnutrition,[733] the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind,[734] the Declaration on the Rights of Disabled Persons[735] and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[736]

4. Conventions and Other International Instruments

217. During the period under review, the General Assembly many times urged all those States which were not yet parties to the International Convention on the Elimination of All Forms of Racial Discrimination to take steps to accede to or ratify the Convention.[737]

218. The General Assembly, the Economic and Social Council and the Commission on Human Rights started and continued work on a draft convention on the protection of journalists engaged in dangerous missions in areas of armed conflict.[738]

219. At its twenty-seventh session, the General Assembly decided to postpone consideration of the International Convention on the Elimination of All Forms of Religious Intolerance after the adoption of the Declaration on that subject.[739]

220. At its twenty-eighth session, the General Assembly adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid.[740] In subsequent resolutions, the General Assembly appealed to States which had not yet become parties to the Convention to accede to or ratify it.[741]

221. At its twenty-ninth session, the General Assembly decided to establish a group of experts, composed of representatives of 27 Member States, to review the text of the draft Convention on Territorial Asylum.[742] At the same session, with respect to the Convention on the Reduction of Statelessness of 28 August 1961, the Assembly requested the Office of the United Nations High Commissioner for Refugees provisionally to undertake the functions foreseen under articles 11 and 20 after the Convention had come into force.[743]

222. At its thirtieth session, the General Assembly requested the Commission on the Status of Women to complete, in 1976, the elaboration of the draft Convention on

[695]GA resolution 2840 (XXVI).
[696]GA resolution 2852 (XXVI).
[697]GA resolution 2857 (XXVI).
[698]GA resolution 2858 (XXVI).
[699]ESC resolution 1677 (LII).
[700]ESC resolution 1679 (LII).
[701]ESC resolution 1695 (LII).
[702]GA resolution 2920 (XXVII).
[703]GA resolution 3016 (XXVII).
[704]GA resolution 3010 (XXVII).
[705]ESC resolution 1749 (LIV) and GA resolution 31/127.
[706]ESC resolution 1751 (LIV).
[707]ESC resolution 1752 (LIV).
[708]ESC resolution 1786 (LIV).
[709]GA resolution 3059 (XXVIII).
[710]GA resolution 3069 (XXVIII).
[711]See, for example, GA resolutions 3187 (XXVIII), 3391 (XXX), 31/40 and 32/18.
[712]ESC resolution 1853 (LVI).
[713]ESC resolution 1854 (LVI).
[714]ESC resolution 1856 (LVI).
[715]GA resolution 3295 IV (XXIX).
[716]GA resolution 3298 (XXIX).
[717]GA resolution 3340 (XXIX).
[718]ESC resolution 1942 (LVIII).
[719]ESC resolution 1959 (LIX).
[720]ESC resolution 1969 (LIX).
[721]GA resolution 3416 (XXX).
[722]ESC resolution 1993 (LX).
[723]GA resolution 31/6 F.
[724]GA resolution 31/82.
[725]GA resolution 31/129.
[726]GA resolution 32/161.
[727]GA resolution 33/163.
[728]GA resolution 33/165.
[729]See, for example, GA resolutions 3187 (XXVIII), 3222 (XXIX), 3448 (XXX) and 32/105 M.
[730]GA resolution 2856 (XXVI).
[731]GA resolution 3068 (XXVIII).
[732]GA resolution 3318 (XXIX).
[733]GA resolution 3348 (XXIX).
[734]GA resolution 3384 (XXX).
[735]GA resolution 3447 (XXX).
[736]GA resolution 3452 (XXX).
[737]See, for example, GA resolutions 2646 (XXV), 2783 (XXVI), 2921 (XXVII), 3060 (XXVIII), 3134 (XXVIII), 3225 (XXIX), 3381 (XXX), 31/81 and 33/101.
[738]GA resolutions 2673 (XXV), 2854 (XXVI), 3058 (XXVIII) and 3245 (XXIX).
[739]GA resolution 3027 (XXVII).
[740]GA resolution 3068 (XXVIII).
[741]See, for example, GA resolutions 3380 (XXX), 31/6 I, 32/12 and 33/103.
[742]GA resolution 3272 (XXIX).
[743]GA resolution 3274 (XXIX).

the Elimination of Discrimination against Women.[744] Having received the draft Convention, the General Assembly established at its thirty-second[745] and thirty-third[746] sessions a working group to consider the articles of the draft Convention with a view to its adoption at the thirty-fourth session.

223. At its thirty-first session, the General Assembly welcomed the proposal for an international convention against apartheid in sports.[747] It established an Ad Hoc Committee, composed of the existing members of the Special Committee against Apartheid and seven other Member States, to prepare a draft declaration on apartheid in sports as an interim measure and undertake preparatory steps towards the drafting of an international convention on the matter.[748] At the same session, the General Assembly welcomed the coming into force of the International Convention on the Suppression and Punishment of the Crime of Apartheid.[749] It invited the Commission on Human Rights to appoint a group consisting of three of its members, as provided for by article IX of the Convention, to undertake functions set out in article X of the Convention,[750] in particular to prepare a list of individuals, organizations, institutions and representatives of States which were alleged to be responsible for the crimes enumerated in article II of the Convention.

224. At the same session, the General Assembly appealed to States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to consider making the declaration provided for in article 14 of the Convention.[751] The General Assembly also established an Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages, composed of 35 Member States.[752] With respect to 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, the General Assembly welcomed with deep satisfaction their entry into force.[753] In subsequent resolutions, the Assembly invited all States which had not yet done so to become parties to the International Covenants and the Optional Protocol, invited the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of that Covenant, expressed satisfaction at the serious manner in which the Human Rights Committee was undertaking its functions and appreciated that the Committee strove for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and of the Optional Protocol thereto.[754]

[744]GA resolution 3521 (XXX).
[745]GA resolution 32/136.
[746]GA resolution 33/177.
[747]GA resolution 31/6 F.
[748]GA resolution 31/6 F. See also GA resolution 32/105 M.
[749]GA resolutions 31/6 I and 31/80.
[750]GA resolution 31/80. See also GA resolutions 32/12 and 33/103.
[751]GA resolution 31/79. See also GA resolutions 32/11 and 33/101.
[752]GA resolution 31/103.
[753]GA resolution 31/86.
[754]GA resolutions 32/66 and 33/51.

225. At its first regular session in 1978, the Economic and Social Council authorized the Commission on Human Rights to establish a working group open to all its members to prepare concrete drafting proposals for a draft convention on torture and other cruel, inhuman or degrading treatment or punishment.[755]

226. At its thirty-third session, the General Assembly requested the Secretary-General to explore with Member States and in cooperation with the agencies of the United Nations the possibility of drawing up an international convention on the rights of migrant workers.[756] At the same session, the General Assembly endorsed Economic and Social Council resolution 1978/18 of 5 May 1978 in which the Council welcomed the proposal for a convention on the rights of the child to be adopted, if possible, during the International Year of the Child in 1979.[757]

227. During the period under review, the General Assembly was unable to consider the draft Convention on Freedom of Information.

**5. International Conferences

6. Services Relating to Human Rights

228. By its resolution 2633 (XXV) of 11 November 1970 entitled "Youth, its education in the respect for human rights and fundamental freedoms, its problems and needs, and its participation in national development", the General Assembly requested the Secretary-General and the specialized agencies concerned to continue to undertake, on a regional and on a worldwide basis, programmes and projects related to the problems and needs of youth, especially those of the handicapped, young workers and rural youth, and their participation in national development, as well as their role in the promotion and protection of human rights, and to cooperate closely, as appropriate, with youth organizations.[758]

229. In its resolution 2716 (XXV) of 15 December 1970, entitled "Programme of concerted international action for the advancement of women", the General Assembly recommended that conferences, seminars and similar meetings at the regional and international levels should be organized with the participation, wherever possible, of ministers, high government officials and specialists concerned with problems of development, and of representatives of non-governmental organizations concerned with the problem, to consider ways and means of promoting the status of women within the framework of overall development.[759]

230. The Economic and Social Council, by its resolution 1598 (L) of 21 May 1971, took note of the report of the Commission on Human Rights on its twenty-seventh session containing Commission resolution 11 A (XXVII) of 22 March 1971,[760] in which the Commission expressed the hope that further seminars on the role of youth in the promotion and protection of human rights would be organized under the programme of advisory services in the field of

[755]ESC decision 1978/24.
[756]GA resolution 33/163.
[757]GA resolution 33/166.
[758]GA resolution 2633 (XXV), para. 15.
[759]GA resolution 2716 (XXV), para. 5.
[760]E/4949, p. 87.

human rights, if possible, in all regions of the world, and invited the Secretary-General to explore, through such seminars and other techniques available, ways and means by which youth might be encouraged to participate constructively, and to assist in the effective implementation of United Nations principles concerning human rights at the national and international levels.

231. The General Assembly, in its resolution 2852 (XXVI) of 20 December 1971, entitled "Respect for human rights in armed conflict", requested the Secretary-General to encourage the study and teaching of principles of respect for human rights applicable in armed conflicts by the means at his disposal.[761]

232. On the recommendation of the Commission on the Status of Women, the Economic and Social Council adopted resolution 1680 (LII) of 2 June 1972 entitled "Programme of advisory services in the field of human rights", in which it invited the Secretary-General, in discharging his responsibilities for the programme of advisory services in the field of human rights, to make every effort within the existing resources available to him to ensure so far as possible that two seminars on subjects relating to the status of women were held each year, especially in the years when the Commission on the Status of Women did not meet, and that at least one of those seminars was an international seminar on a matter directly related to the work programme of the Commission on the Status of Women. The Council also invited Governments of States Members to include the names of more women and of those involved in the work of eliminating discrimination on grounds of sex when forwarding nominations for human rights fellowships to the Secretary-General. Governments were further invited to act as hosts for seminars and avail themselves more fully, when undertaking projects intended to ameliorate the status of women, of the services of experts under the programme of advisory services in the field of human rights.

233. By its resolution 2906 (XXVII) of 19 October 1972 entitled "Programme for the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights", the General Assembly took note with appreciation of the suggestions presented by the Secretary-General in his report[762] and requested him to organize as soon as possible seminars on a regional level under the programme of advisory services in the field of human rights with the purpose of studying new ways and means for promoting human rights, with special attention to the problems and needs of the various regions of the world.[763]

234. The General Assembly, in resolution 3026 B (XXVII) of 18 December 1972 relating to human rights and scientific and technological developments, noted with appreciation the report of the seminar on human rights and scientific and technological developments organized by the Government of Austria and held at Vienna in June 1972,[764] and requested the Commission on Human Rights to proceed with and accelerate its work with a view, in particular, to examining the possibility of preparing draft instruments designed to strengthen respect for human rights proclaimed in the Universal Declaration of Human Rights in the light of developments in science and technology.

235. By its resolution 3057 (XXVIII) of 2 November 1973, entitled "Decade for Action to Combat Racism and Racial Discrimination", the General Assembly requested the Secretary-General to take the necessary measures for the implementation of those suggestions contained in the Programme for the Decade which fell within the Secretary-General's area of responsibility or which required action by other organs of the United Nations, inter alia, the convening of international and regional seminars, conferences and other similar activities in line with the goals and objectives of that programme, as well as seminars on special aspects of combating racism and racial discrimination and promoting racial harmony.

236. In its resolution 3140 (XXVIII) of 14 December 1973, the General Assembly took note with interest of the conclusions of the Seminar on Youth and Human Rights held at San Remo, Italy, from 28 August to 10 September 1973.[765]

237. At its twenty-seventh session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 5 (XXVII) of 19 August 1974 entitled "Exploitation of labour through illicit and clandestine trafficking", in which it requested the Secretary-General to consider the possibility of holding a seminar under the auspices of the United Nations, as part of the programme of advisory services, with the participation of specialized agencies in the United Nations system, intergovernmental and concerned non-governmental organizations in consultative status with the Economic and Social Council, to study the question on a systematic and multidisciplinary basis.

238. At its thirty-first session, the Commission on Human Rights adopted resolution 10 (XXXI) of 5 March 1975, in which it requested the Secretary-General to submit a report containing a complete description of the use made of the advisory services programme in all its components (for example, experts, seminars, training courses, fellowships) since the adoption of General Assembly resolution 926 (X) of 14 December 1955, with a view to a more effective utilization of the advisory services programme in the field of human rights in relation to the overall work of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In accordance with the resolution, the Secretary-General prepared a report[766] which was considered by the Commission at its thirty-second session.

239. By its decision 146 (LX) of 12 May 1976, the Economic and Social Council endorsed the recommendations made by the Commission on Human Rights in its resolution 7 (XXXII) of 3 March 1976 and decided, among other things, to request the General Assembly to enable the Secretary-General to continue to organize worldwide and regional seminars on human rights.

240. At its thirty-second session, the General Assembly, in its resolution 32/127 of 16 December 1977, requested the Secretary-General, under the programme of advisory services in the field of human rights, to give priority to the organization, in areas where no regional commissions on

[761] GA resolution 2852 (XXVI), para. 7.
[762] A/8820.
[763] GA resolution 2906 (XXVI), para. 5 (c).
[764] ST/TAO/HR/45.
[765] A/C.3/L.2052.
[766] E/CN.4/1192.

human rights existed, of seminars for the purpose of discussing the usefulness and advisability of the establishment of regional commissions for the promotion and protection of human rights. In response to that request, the Secretary-General prepared a progress report[767] in which he gave a detailed explanation concerning the financial difficulties he had encountered in implementing the advisory services programme.

241. Acting on a recommendation submitted by the Commission on Human Rights, the Economic and Social Council adopted resolution 1978/14 of 5 May 1978 in which it requested the Secretary-General to organize at least two seminars and one training course annually and to grant at least 25 human rights fellowships each year. The Council also authorized the Secretary-General to supplement the number of the seminars, fellowships and training courses which were possible under the advisory services programme in the regular budget of the United Nations, by arranging for additional seminars, fellowships and training courses which could be financed by Governments willing to do so.

242. At its thirty-third session, the General Assembly, following its consideration of the Secretary-General's progress report on the implementation of resolution 32/127 of 16 December 1977,[768] adopted resolution 33/167 of 20 December 1978 in which it repeated resolution 32/127 and requested once again that at least one seminar should be organized during 1979 for the purpose of discussing the usefulness and advisability of the establishment of regional commissions for the promotion and protection of human rights.

243. During the period under review, the range of human rights questions which were studied in seminars of the programme of advisory services included, inter alia, the role of youth in the promotion and protection of human rights,[769] the evils of racial discrimination,[770] participation of women in economic life,[771] human rights and scientific and technological developments,[772] the status of women and family planning,[773] youth and human rights,[774] the study of new ways and means for promoting human rights with special attention to the problems and needs of Africa,[775] the human rights of migrant workers,[776] and national and local institutions for the promotion and protection of human rights.[777]

244. A total of 272 human rights fellowships were awarded during the period under review. It should be noted that, as from 1974, that figure did not include the number of human rights fellowships awarded to persons for the study of subjects strictly related to the status of women, which fell within the activities of the Branch for the Promotion of Equality of Men and Women of the Centre for Social Development and Humanitarian Affairs of the Secretariat.

245. As regards regional training courses, the Secretary-General organized the third pilot project in group training in Fuchu, Japan, in 1972, the fourth in Cairo, Egypt, in 1973, the fifth in San José, Costa Rica, in 1975, the sixth in Canberra, Australia, in 1976, and the seventh in Fuchu, Japan, in 1977.

7. Decisions Dealing Individually with Allegations Regarding Violations of Human Rights in Specific States or Territories

246. During the period under review, the General Assembly continued to be concerned with the questions of racial conflict in South Africa resulting from the policies of apartheid of the Government of South Africa. At the twenty-fifth and following sessions, the General Assembly repeatedly and with ever increasing emphasis expressed its condemnation and abhorrence of the policies of apartheid. Furthermore, in many resolutions, the General Assembly recalled its earlier convictions, requests and appeals on the matter[778] and declared, inter alia, that the policies of apartheid were a negation of the Charter of the United Nations and constituted a threat to international peace and security as well as a crime against humanity.[779] In other resolutions, the General Assembly condemned the unholy alliance between South African racism and Zionism and Israeli imperialism.[780]

247. Noting that the year 1971 had been proclaimed the International Year for Action to Combat Racism and Racial Discrimination, the General Assembly, by its resolution 2671 D (XXV) of 8 December 1970, urged all States and organizations to observe that year in solidarity with the legitimate struggle of the oppressed people of South Africa. In the following year, the General Assembly, by its resolution 2775 D (XXVI) of 29 November 1971, condemned the actions of the Government of South Africa in enforcing racial discrimination and segregation in sports. At its twenty-seventh session, the General Assembly, by its resolution 2919 (XXVII) of 15 November 1972, decided to launch the Decade for Action to Combat Racism and Racial Discrimination and to inaugurate the activities thereof on 10 December 1973, the twenty-fifth anniversary of the Universal Declaration of Human Rights.

248. During the period under review, the General Assembly continued[781] to consider the situation of prisoners, detainees or persons in police custody in South Africa and other Territories in southern Africa, and demanded the repeal of all repressive laws, regulations and proclamations used to persecute persons opposed to the policies of apartheid and the release of all those imprisoned, detained or restricted for their opposition to apartheid. All States and organizations were invited to provide appropriate political, moral and material assistance for the eradication of apartheid and the establishment of a society based on equal

[767] A/33/219.
[768] A/33/219.
[769] GA resolution 2497 (XXIV).
[770] GA resolution 2671 D (XXV).
[771] ESC resolution 1511 (XLVIII) and GA resolution 2716 (XXV).
[772] GA resolution 3026 B (XXVII).
[773] GA resolution 2716 (XXV).
[774] GA resolution 2633 (XXV).
[775] GA resolution 2906 (XXVII).
[776] ESC resolution 1926 A (LVIII).
[777] GA resolution 32/123.
[778] See, for example, *Supplement No. 3*, vol. II, Article 55, paras. 124-125, and *Supplement No. 4*, vol. II, Article 55, paras. 117-122.
[779] See, for example, GA resolutions 2671 F (XXV), 2775 F (XXVI), 2923 E (XXVII), 3324 E (XXIX), 3411 G (XXX), 31/6 I and 33/183 L.
[780] See, for example, GA resolutions 3151 G (XXVIII), 3379 (XXX), 31/6 E, 32/105 D and 33/183 D.
[781] See, for example, GA resolutions 2923 E (XXVII), 3055 (XXVIII), 3324 C (XXIX), 3411 B (XXX), 31/6 C, 32/105 E and 33/183 F.

rights for all inhabitants irrespective of race, colour or creed.

249. During the period under review, the Economic and Social Council continued to consider the question of infringements of trade union rights in the Republic of South Africa, Namibia and Southern Rhodesia. By resolution 1509 (XLVIII) of 28 May 1970, the Council enlarged the mandate of the Ad Hoc Working Group in charge of investigations into infringements of trade union rights in southern Africa to cover the conditions of African producers of primary products and the sector of unorganized labour in the Portuguese colonies in Africa, as well as of workers from Mozambique and Angola who were or had been employed in South Africa, Namibia and Southern Rhodesia.

250. Having assumed direct responsibility for Namibia by its resolution 2145 (XXI) of 27 October 1966, the General Assembly, in its resolution 3031 (XXVII) of 18 December 1972, urged the Secretary-General to undertake the necessary consultations to nominate a full-time United Nations Commissioner for Namibia. In 1973, the General Assembly, on the proposal of the Secretary-General, appointed a United Nations Commissioner for Namibia for a period of one year. The General Assembly extended the appointment for several further one-year terms.

251. At its twenty-eighth session, the General Assembly adopted resolution 3114 (XXVIII) of 12 December 1973, in which it stated that it was deeply disturbed by the reported massacres in Mozambique and convinced of the urgent need for an international investigation. It decided to establish a representative Commission of Inquiry consisting of five members to be appointed by its President after due consultation with Member States. The General Assembly instructed the Commission of Inquiry to carry out an investigation of reported atrocities, to gather information from all relevant sources, to solicit the cooperation and assistance of the national liberation movement and to report its findings to the Assembly as soon as possible. The Commission submitted a report[782] on its inquiry to the General Assembly which, at its 2318th plenary meeting, on 13 December 1974, decided to commend for appropriate action the recommendations contained in the report to all Governments, the specialized agencies and other organizations within the United Nations system and the non-governmental organizations concerned.

252. At its fifty-sixth session, the Economic and Social Council adopted resolution 1873 (LVI) of 17 May 1974, in which it endorsed the concern of the Commission on Human Rights regarding the reported violations of human rights in Chile, particularly those involving a threat to human life and liberty. The Council called upon the Government of Chile to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in the country. The General Assembly, by its resolution 3219 (XXIX) of 6 November 1974, expressed its deepest concern that constant flagrant violations of basic human rights and fundamental freedoms in Chile continued to be reported. It reiterated its repudiation of all forms of torture and other cruel, inhuman or degrading treatment or punishment and urged the Chilean authorities to respect fully the principles of the Universal Declaration of Human Rights and to take all necessary steps to restore basic human rights, to release all persons who had been detained without charge or imprisoned solely for political reasons and to continue to grant safe conduct to those who desired it. It endorsed the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities that the Commission on Human Rights should study the reported violations of human rights in Chile, with particular reference to torture and cruel, inhuman or degrading treatment or punishment.

253. By its decision 80 (LVIII) of 6 May 1975, the Economic and Social Council approved the decision of the Commission on Human Rights in its resolution 8 (XXXI) of 27 February 1975 to set up an Ad Hoc Working Group to inquire into the situation on human rights in Chile. In its resolution 3448 (XXX) of 9 December 1975,[783] the General Assembly, having considered the progress report submitted by the Ad Hoc Working Group on the Situation of Human Rights in Chile,[784] expressed its profound distress at the constant flagrant violations of human rights which had taken place and, according to existing evidence, continued to take place in Chile. The General Assembly called upon the Chilean authorities to take, without delay, all necessary measures to restore and safeguard basic human rights and to fully respect the provisions of the international instruments to which Chile was a party. It deplored the refusal of the Chilean authorities to allow the Ad Hoc Working Group to visit the country. It invited the Commission on Human Rights to extend the mandate of the Ad Hoc Working Group to enable it to report in particular on any developments which occurred to re-establish respect for human rights.[785] It requested both the President of its thirtieth session[786] and the Secretary-General to assist in any way they might deem appropriate in the re-establishment of basic human rights in Chile.

254. By its resolution 11 I (XXX) of 31 August 1977, the Sub-Commission on Prevention of Discrimination and Protection of Minorities appointed a Special Rapporteur to prepare the study requested by the Commission on Human Rights on the impact of foreign economic aid and assistance on respect of human rights in Chile, including the question whether a quantitative or qualitative change in the aid given to Chile might contribute to restoring respect for human rights in the country.[787] By its resolution 11 II (XXX) of 31 August 1977,[788] the Sub-Commission recommended that a voluntary fund should be established to receive contributions and distribute humanitarian, legal and financial aid both to those detained or imprisoned in Chile under the state of siege and other emergency legislation, and to those forced to leave the country and their relatives. It also requested the Secretary-General to prepare a report with suggestions, inter alia, as to methods of establishing administrative and legal structures, and channels of distributing the fund. By a decision of 8 September 1978, the

[782] A/9621.

[783] See also GA resolution 31/124.

[784] A/10285, annex. See also A/31/253, annex, A/C.3/31/4-6 and A/C.3/31/6/Add.1.

[785] The mandate of the Ad Hoc Working Group was also extended in 1976 and 1977. See GA resolutions 31/124 and 32/118.

[786] Also the Presidents of its thirty-first and thirty-second sessions. See GA resolutions 31/124 and 32/118.

[787] Commission on Human Rights resolution 9 (XXXIII).

[788] Based also on Commission on Human Rights resolution 9 (XXXIII).

Sub-Commission transmitted to the General Assembly the report prepared by its Special Rapporteur on the consequences for human rights in Chile of the various forms of aid extended to the Chilean authorities.[789]

255. The General Assembly, on the recommendation of the Economic and Social Council, adopted resolution 33/174 of 20 December 1978 in which it decided to establish a voluntary fund called the United Nations Trust Fund for Chile, adopted the arrangements for the management of the Fund and appealed to Member States to respond favourably to requests for contributions to the Fund. By its resolution 33/175 of 20 December 1978, the General Assembly welcomed the fact that the Ad Hoc Working Group on the Situation of Human Rights in Chile was finally able to travel to Chile and carry out, on the spot, an investigation of the human rights situation in that country in accordance with its mandate. It also expressed its continued indignation that violations of human rights continued to take place in Chile, as had been convincingly established by the report of the Ad Hoc Working Group. It once more called upon the Chilean authorities to restore and safeguard, without delay, basic human rights and fundamental freedoms. It invited the Commission on Human Rights to continue to give close attention to the situation in the country and, inter alia, to appoint a Special Rapporteur on the situation of human rights in Chile who should report to the Commission and to it, as well as consider the most effective ways of clarifying the whereabouts and fate of missing and disappeared persons in the country. At the same time the General Assembly expressed its appreciation to the Special Rapporteur for his report on the consequences for human rights in Chile of the various forms of aid extended to the Chilean authorities.[790]

256. In a number of resolutions relating to Israeli practices affecting the human rights of the population of the occupied territories,[791] the General Assembly strongly called upon Israel to rescind forthwith all measures and to desist from all policies and practices such as annexation of Arab territories, establishment of settlements on those territories, destruction and demolition of villages, quarters and houses, confiscation and expropriation of property, deportation and expulsion of Arab inhabitants, collective punishment, ill-treatment and torture of prisoners and detainees, pillaging of archaeological and cultural property, interference with religious freedoms and practices, as well as with family rights and customs and illegal exploitation of the natural wealth, resources and population of the occupied territories. The General Assembly also reaffirmed that all measures taken by Israel were completely null and void. It further called upon all States, international organizations and specialized agencies not to recognize any changes carried out by Israel in the occupied territories and to avoid actions, including those in the field of aid, which might be used by Israel in its pursuit of the policies of annexation and colonization.

[789]E/CN.4/Sub.2/412 (vols. I-IV) and Corr. 1.
[790]Ibid.
[791]See, for example, GA resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971, 3005 (XXVII) of 15 December 1972, 3092 B (XXVIII) of 7 December 1973, 3240 A (XXIX) of 29 November 1974, 3525 A (XXX) of 15 December 1975, 31/106 C of 16 December 1976, 32/91 C of 13 December 1977 and 33/113 C of 18 December 1978.

8. Miscellaneous Actions

257. In connection with the celebration of the twenty-fifth anniversary of the Universal Declaration of Human Rights, the General Assembly, by its resolution 2906 (XXVII) of 19 October 1972, decided to hold a special meeting on 10 December 1973 to launch the Decade for Action to Combat Racism and Racial Discrimination. By its resolution 3060 (XXVIII) of 2 November 1973, the General Assembly urged Governments and various bodies and organizations to rededicate themselves during and after the observance of the twenty-fifth anniversary of the Universal Declaration to adopting further measures designed to serve the cause of human rights and the implementation of the Declaration. The Assembly also invited States which had not yet done so to ratify the international instruments concluded in the field of human rights. In its resolution 3057 (XXVIII) of 2 November 1973, the General Assembly designated the 10-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination, approved the Programme for the Decade and called upon all States to cooperate in every possible way in its implementation.

258. At its twenty-seventh session, the General Assembly adopted resolution 3010 (XXVII) of 18 December 1972 in which it decided to proclaim the year 1975 International Women's Year. The Economic and Social Council, in its resolution 1849 (LVI) of 16 May 1974, adopted on the recommendation of the Commission on the Status of Women, approved the programme of measures and activities for the International Women's Year. Acting again on a recommendation submitted by the Commission on the Status of Women, the Council, by its resolution 1851 (LVI) of 16 May 1974, requested the Secretary-General to convene in 1975 an international conference during the International Women's Year to examine to what extent the organizations of the United Nations system had implemented the recommendations for the elimination of discrimination against women, and to launch an international action programme aimed, inter alia, at achieving the integration of women as full and equal partners with men in the total development effort and eliminating discrimination on grounds of sex. The General Assembly, in its resolution 3276 (XXIX) of 10 December 1974, decided to invite all States and recognized national liberation movements to participate in the international conference, and by resolution 3277 (XXIX) of 10 December 1974, decided to establish a Consultative Committee for the preparation of the conference. By its decision 67 (ORG-75) of 15 January 1975, the Economic and Social Council decided that the conference should be entitled "World Conference of the International Women's Year", and would be held from 19 June to 2 July 1975.

259. The Economic and Social Council, in its resolution 1959 (LIX) of 28 July 1975,[792] took note of the report of the World Conference of the International Women's Year,[793] and in particular of the Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace, 1975,[794] and the World Plan of Action for the Implementation of the Objectives of the International

[792]See also para. 335 below.
[793]United Nations publication, Sales No. E.76.IV.1.
[794]Ibid., chap. I.

Women's Year.[795] The Council urged Member States and all organizations of the United Nations system to take intensified and sustained action to achieve the full equality of men and women and to improve the quality of life for all human beings.

260. The General Assembly, in its resolution 3520 (XXX) of 15 December 1975, took note of the report of the World Conference of the International Women's Year, and proclaimed the period from 1976 to 1985 "United Nations Decade for Women: Equality, Development and Peace", to be devoted to effective and sustained national, regional and international action to implement the World Plan of Action and related resolutions of the Conference. The Assembly also specified the action to be taken by Governments, the specialized agencies, non-governmental organizations, the Secretary-General, the regional commissions and the United Nations bodies concerned in achieving the goals and objectives of the World Plan of Action and related resolutions of the Conference. It affirmed that a system-wide review and appraisal of the World Plan of Action should be undertaken biennially. It decided to convene in 1980, at the mid-term of the United Nations Decade for Women, a world conference of all States to review and evaluate the progress made in implementing the objectives of the International Women's Year as recommended by the World Conference of the International Women's Year. As from 1976, the Economic and Social Council considered the preparatory work for the Conference on the United Nations Decade for Women, to be held in 1980, on the basis of the deliberations of the Commission on the Status of Women, and requested the Secretary-General to prepare a report outlining a programme of concrete action for the second half of the United Nations Decade for Women, as the basis for a report to be submitted to the 1980 World Conference.[796] At its thirty-first session, the General Assembly adopted resolution 31/136 of 16 December 1976, in which it approved the Programme for the United Nations Decade for Women, which focused on the first half of the Decade, the period from 1976 to 1980.

261. At the same session, by its resolution 31/123 of 16 December 1976, the General Assembly proclaimed the year 1981 International Year for Disabled Persons, with the theme "full participation", and invited all Member States and the organizations concerned to give their attention to the establishment of measures and programmes to implement the objectives of that International Year, and requested the Secretary-General to elaborate a draft programme therefor.

262. Also at its thirty-first session, the General Assembly adopted resolution 31/169 of 21 December 1976 in which it proclaimed the year 1979 International Year of the Child, specified the general objectives of the International Year and requested the Executive Director of the United Nations Children's Fund to report to it through the Economic and Social Council on progress in preparation for the International Year.

263. At its thirty-second session, the General Assembly, by its resolution 32/105 B of 14 December 1977, proclaimed the year beginning on 21 March 1978 International Anti-Apartheid Year, endorsed the programme for that International Year and requested all Governments, intergovernmental and non-governmental organizations, information media and educational institutions concerned to cooperate in the effective observance of the International Anti-Apartheid Year.

264. At its thirty-third session, the General Assembly adopted resolution 33/7 of 3 November 1978, in which it proclaimed an International Youth Year and decided to designate the most suitable period for its celebration, as well as the ways and means for its observance, at its next session.

265. At the same session, the General Assembly adopted resolution 33/182 C of 21 December 1978, in which it proclaimed 1979 the International Year of Solidarity with the People of Namibia and requested the Secretary-General, inter alia, to publish a yearbook on Namibia.

266. The Economic and Social Council, in its resolution 1693 (LII) of 2 June 1972, directed the Ad Hoc Committee on Periodic Reports of the Commission on Human Rights to examine the effectiveness of the system of collecting and disseminating information about the realization of human rights, giving particular attention to the *Yearbook on Human Rights* and its relation to periodic reports on human rights. In the following year, on the recommendation of the Commission on Human Rights, the Council adopted resolution 1793 (LIV) of 18 May 1973, in which it took note of the report of the Ad Hoc Committee[797] and decided henceforth to issue the *Yearbook on Human Rights* every two years, beginning with the *Yearbook* for 1973-1974. The Council also requested the Secretary-General to consider ways of making the *Yearbook* widely known. By its resolution 33/171 of 20 December 1978, the General Assembly, conscious that many developments had taken place since the *Yearbook on Human Rights* was initially established, requested the Commission on Human Rights to review the objectives, contents and format of the *Yearbook* with a view to framing appropriate recommendations as to the need for modifications, such as the inclusion therein of appropriate documents of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination and of other important documents on human rights in order to enhance its wider dissemination of information relating to human rights. The General Assembly also requested the Secretary-General to submit to the Commission suggestions for new contents and format for the *Yearbook*.

267. The General Assembly, by its resolutions 32/127 of 16 December 1977 and 33/167 of 20 December 1978, appealed to States in areas where regional arrangements in the field of human rights did not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights.[798]

268. By its resolution 23 (XXXIV) of 8 March 1978, the Commission on Human Rights proposed some possible functions which could be performed by national institutions in the field of human rights if so decided by the Government concerned, and requested the Secretary-General to circulate to all Member States for their comments and

[795]Ibid., chap. II, sect. A.

[796]See, for example, E S C resolutions 1999 (LX), 2062 (LXII), 1978/30, 1978/31 and 1978/32.

[797]E/CN.4/1104.

[798]See also paras. 65 and 67 above.

suggestions the text of the resolution as well as the proposed guidelines for the structure and functioning of national institutions. At the same time the Commission requested the Secretary-General to prepare a report containing all the information so received from Member States and to submit that report to it as early as possible. The Commission resolution was endorsed by the General Assembly in its resolution 33/46 of 14 December 1978.

269. In its resolution 32/130 of 16 December 1977 entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", the General Assembly decided that the approach to the future work of the United Nations should take into account, inter alia, the fact that all human rights and fundamental freedoms were indivisible and interdependent; and that equal attention and urgent consideration should be given to the implementation, promotion and protection of both civil and political, and economic, social and cultural rights. The Assembly consequently stated that human rights questions should be examined globally, taking into account both the overall context of the various societies in which they presented themselves, as well as the need for the promotion of the full dignity of the human person and the development and well-being of society. It also stated that the experience and contribution of both developed and developing countries should be taken into account by all organs of the United Nations system in their work related to human rights. It requested the Commission on Human Rights to undertake as a matter of priority an overall analysis of the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms and to submit to the General Assembly, through the Economic and Social Council, a report with its conclusions and recommendations. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted decision 1978/20 of 5 May 1978, in which it authorized the establishment of an open-ended working group of the Commission, which would meet for one week immediately before the next Commission's session to consider, inter alia, the matters referred to the Commission by the General Assembly in its resolution 32/130 of 16 December 1977. By its resolutions 33/104 and 33/105 of 16 December 1978, the General Assembly requested the Commission on Human Rights to continue with high priority the overall analysis which would contribute to the implementation of resolution 32/130 of 16 December 1977, and to take into account all views expressed on the matter. including the establishment of a post of United Nations High Commissioner for Human Rights.

II. ANALYTICAL SUMMARY OF PRACTICE

**1. Question of the Meaning of the Phrase "Respect for, and Observance of"

2. Question of the Meaning of the Term "Human Rights and Fundamental Freedoms"

a. *General remarks*

270. At its twenty-seventh session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities considered the question of the individual's duties to the community and the limitations on human rights and freedoms under article 29 of the Universal Declaration of Human Rights. In its resolution 9 (XXVII) of 21 August 1974, it decided that there was an urgent need for a comprehensive study of the provisions of that article as a whole and related articles of the International Covenants, given that the limitations imposed on the exercise of human rights should not be used as a justification for an abuse which would lead to violations of human rights. The Sub-Commission entrusted a Special Rapporteur with the task of preparing with all possible assistance by the Secretariat a study on that article, and stated that special attention should be paid to the relationship between the rights and duties of individuals and to such limitations as were determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

271. At its thirtieth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 10 (XXX) of 31 August 1977, entrusted two of its members with the preparation of a preliminary version of a study on the implications for human rights of situations known as state of siege or emergency.

b. *Rights and freedoms proclaimed as human rights and fundamental freedoms in the Universal Declaration of Human Rights*

(i) *General provisions*

(a) *Declaration on the Rights of Mentally Retarded Persons*

272. The General Assembly, by its resolution 2856 (XXVI) of 20 December 1971, adopted the Declaration on the Rights of Mentally Retarded Persons, and called for national and international action to ensure that it will be used as a common basis and frame of reference for the protection of these rights.

273. The Declaration reaffirms faith in human rights and fundamental freedoms and in the principles of peace, dignity and worth of the human person and of social justice as proclaimed in the Charter. It recalls the principles of the earlier international instruments of the United Nations in the human rights field and the standards already set for social progress in the constitutions, conventions, recommendations and resolutions of the specialized agencies.

274. The Declaration states that the mentally retarded person has, to the maximum degree feasible, the same rights as other human beings. He has a right to proper medical care and physical therapy and to such education, training, rehabilitation and guidance as will enable him to develop his ability and maximum potential. He has a right to economic security and to a decent standard of living. He has a right to perform productive work or to engage in any

other meaningful occupation to the fullest possible extent of his capabilities.

275. The Declaration also provides that, whenever possible, the mentally retarded person should live with his own family or with foster parents and participate in different forms of community life. The family with which he lives should receive assistance. If care in an institution becomes necessary, it should be provided in surroundings and other circumstances as close as possible to those of normal life.

276. The Declaration further states that the mentally retarded person has a right to a qualified guardian when this is required to protect his personal well-being and interests. He has a right to protection from exploitation, abuse and degrading treatment. If prosecuted for any offence, he shall have a right to due process of law with full recognition being given to his degree of mental responsibility. Whenever the severity of his handicap makes him unable to exercise all his rights in a meaningful way or it should become necessary to restrict or deny some or all of these rights, the procedure used for that restriction or denial of rights must contain proper legal safeguards against every form of abuse. This procedure must be based on an evaluation of his social capability by qualified experts and must be subject to periodic review and to the right of appeal to higher authorities.

(b) *International Convention on the Suppression and Punishment of the Crime of Apartheid*

277. At its twenty-eighth session, the General Assembly, by its resolution 3068 (XXVIII) of 30 November 1973, adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid. The preamble recalls the obligation of States under the Charter to promote human rights for all without distinction as to race, sex, language or religion. It also recalls a number of international instruments and resolutions in which the policies and practices of apartheid are condemned as a crime against humanity, and qualified as a serious threat to international peace and security.

278. Article 2 of the Convention states that the term "the crime of apartheid", which included similar policies and practices of racial segregation and discrimination as practised in southern Africa, should apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them: (a) denial to a member or members of a racial group or groups of the right to life and liberty of person; (b) deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part; (c) any legislative measures and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country and the deliberate creation of conditions preventing the full development of such a group or groups; (d) any measures, including legislative measures, designed to divide the population along racial lines; (e) exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour; (f) persecution of organizations and persons, by depriving them of fundamental rights and freedoms, because they oppose apartheid.

279. The Convention declares that international criminal responsibility shall apply to individuals, members of organizations and institutions, and representatives of States whenever they commit, directly incite or conspire in, participate in, directly cooperate in or encourage the commission of the crime of apartheid (article 3). Those persons may be tried by a competent tribunal of any State party to the Convention which may acquire jurisdiction over them or by an international criminal tribunal having jurisdiction with respect to those States parties which shall have accepted its jurisdiction (article 5).

280. The States parties undertake to adopt legislative, judicial and administrative measures to prevent any encouragement of the crime of apartheid and to punish persons guilty of that crime (article 4). They also undertake to accept and carry out the decisions taken by the Security Council and other competent organs of the United Nations aimed at the prevention, suppression and punishment of the crime of apartheid (article 6). In addition, they may call upon the organs of the United Nations to take such action as they consider appropriate for the prevention and suppression of the crime of apartheid (article 8).

281. The Convention provides measures for its implementation (articles 7, 9 and 10). The States parties undertake to submit periodic reports on the legislative, judicial, administrative or other measures that they have adopted and that give effect to the provisions of the Convention. Those reports shall be considered by a group which shall be appointed by the Chairman of the Commission on Human Rights. The group shall consist of three members of the Commission on Human Rights, who are also representatives of States parties to the Convention. The States parties also empower the Commission on Human Rights to undertake some functions, including to prepare, on the basis of reports from competent organs of the United Nations and periodic reports from States parties to the Convention, a list of individuals, organizations, institutions and representatives of States which are alleged to be responsible for the crime of apartheid, as well as those against whom legal proceedings have been undertaken by States Parties to the Convention.

282. The General Assembly, in its resolution 31/80 of 13 December 1976, welcomed the entry into force of the International Convention on the Suppression and Punishment of the Crime of Apartheid, and appealed to all States which had not yet become parties to the Convention to accede thereto. At the same time, the Assembly invited the Commission on Human Rights to appoint the group consisting of three of its members as provided for by article IX of the Convention. It also invited the Commission to undertake the functions set out in article X of the Convention, in particular to prepare a list of individuals, organizations, institutions and representatives of States which were alleged to be responsible for the crimes enumerated in article II of the Convention. It further requested the Secretary-General to include in his annual report under General Assembly resolution 3380 (XXX) of 10 November 1975 a special part concerning the implementation of the Convention.

283. The Commission on Human Rights, by its resolution 13 (XXXIII) of 11 March 1977, invited States parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid to submit to the group established under General Assembly resolution

31/80 of 13 December 1976, through the Secretary-General, reports on the legislative, judicial, administrative and other measures that they had adopted and that gave effect to the provisions of the Convention. The Commission also requested United Nations organs to draw its attention, through the Secretary-General, to complaints concerning acts enumerated in article II of the Convention and provide to it, through the Secretary-General, information relevant to the preparation of the list foreseen by article X of the Convention.

284. The Commission on Human Rights, by its resolution 7 (XXXIV) of 22 February 1978, took note of the report of the group of three members appointed under article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid,[799] in particular the general guidelines proposed by the group concerning the form and the contents of reports to be submitted by States parties under article VII of the Convention. The Commission requested States parties to take the guidelines fully into account in submitting their reports. It also called upon the States parties to submit their first report not later than two years after becoming parties to the Convention and their periodic reports at two-yearly intervals, with the understanding that they might submit additional information to the group at any time they wished in the intervening period. It further decided that the group should meet for a period of five days before its next session to consider the reports submitted by States parties.

(c) *Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity*

285. By its resolution 3074 (XXVIII) of 3 December 1973, the General Assembly adopted the principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.

286. The resolution contains nine principles. Principles 1 and 5 state that war crimes and crimes against humanity, wherever they are committed, shall be subject to investigation, and that the persons against whom there is evidence that they have committed war crimes and crimes against humanity shall be subject to trial and, if found guilty, to punishment, as a general rule in the countries in which they committed those crimes.

287. Principle 7 incorporates article 1 of the Declaration on Territorial Asylum of 14 December 1967, and affirms that States shall not grant asylum to any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime or a crime against humanity.

288. The other principles proclaim bilateral and multilateral cooperation in order to prevent and halt war crimes and crimes against humanity, and to ensure the prosecution and punishment of persons guilty of those crimes. States shall take the domestic and international measures necessary for those purposes, and shall cooperate on questions of extraditing persons suspected of having committed such crimes.

[799] E/CN.4/1286.

(d) *Universal Declaration on the Eradication of Hunger and Malnutrition*

289. At its twenty-eighth session, the General Assembly, by its resolution 3180 (XXVIII) of 17 December 1973, decided to convene a World Food Conference in Rome from 5 to 16 November 1974. At its twenty-ninth session, by its resolution 3348 (XXIX) of 17 December 1974, the General Assembly took note with satisfaction of the report of the World Food Conference, and endorsed the Universal Declaration on the Eradication of Hunger and Malnutrition adopted by the Conference on 16 November 1974.

290. The Declaration recognizes that for a lasting solution of the food problem all efforts should be made to eliminate the widening gaps which separate developed and developing countries and to bring about a new international economic order. Developing countries reaffirm their belief that the primary responsibility for ensuring their own rapid development rests with themselves. But since many of them are not yet always able to meet their own food needs, urgent and effective international action should be taken to assist them, free of political pressures.

291. The Declaration proclaims that every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties. Society already possesses sufficient resources, organizational ability and technology and hence the competence to achieve this objective. Accordingly, the eradication of hunger is a common objective of all the countries of the international community, especially of the developed countries and others in a position to help.

292. The Declaration states that it is a fundamental responsibility of Governments to work together for higher food production and a more equitable and efficient distribution of food between countries and within countries. Governments should initiate a greater concerted attack on chronic malnutrition and deficiency diseases among the vulnerable and lower-income groups. In order to ensure adequate nutrition for all, Governments should formulate appropriate food and nutrition policies integrated in overall socio-economic and agricultural development plans, recognizing in this connection the interrelationship between the world food problem and international trade. The Declaration also states that it is a responsibility of each State concerned, in accordance with its sovereign judgement and internal legislation, to remove the obstacles to food production and to provide proper incentives to agricultural producers.

293. The Declaration further proclaims that to give impetus to food production in developing countries and in particular in the least developed and most seriously affected among them, urgent and effective international action should be taken, by the developed countries and other countries in a position to do so, to provide them with sustained additional technical and financial assistance on favourable terms and in a volume sufficient to their needs.

294. The Declaration provides that all countries must collaborate in order to facilitate the preservation of the environment, including the marine environment, with a view to assuring the proper conservation of natural resources being utilized, or which might be utilized, for food production.

295. The Declaration states that all countries should co-operate in the establishment of an effective system of world food security, and sets forth the means for the achievement of this objective.

(e) *Declaration on the Protection of Women and Children in Emergency and Armed Conflict*

296. By its resolution 3318 (XXIX) of 14 December 1974, the General Assembly solemnly proclaimed the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, and called for the strict observance of the Declaration by all Member States. The preamble expresses deep concern over the sufferings of women and children belonging to the civilian population, who in periods of emergency and armed conflict are often the victims of inhuman acts and suffer serious harm. The preamble also recalls the responsibility of the General Assembly for the future of the younger generation and for the destiny of mothers, who play an important role, particularly in the upbringing of children.

297. The Declaration prohibits and condemns attacks and bombings on the civilian population, especially on women and children. The Declaration also severely condemns the use of chemical and bacteriological weapons in the course of military operations, which constitutes one of the most flagrant violations of the Geneva Protocol of 1925, the Geneva Conventions of 1949 and the principles of international humanitarian law. The Declaration calls upon all States to abide by their obligations under all instruments of international law relative to respect for human rights in armed conflicts, which offer important guarantees for the protection of women and children.

298. The Declaration provides that all the necessary steps shall be taken by States involved in armed conflicts to ensure the prohibition of measures such as persecution, torture, punitive measures, degrading treatment, violence, and that mass arrests, collective punishment, destruction of dwellings and forcible eviction shall be considered criminal.

299. The Declaration proclaims that women and children finding themselves in circumstances of emergency and armed conflict shall not be deprived of shelter, food, medical aid or other inalienable rights, in accordance with the provisions of instruments of international law on respect for human rights.

(f) *Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind*

300. At its thirtieth session, the General Assembly, in its resolution 3384 (XXX) of 10 November 1975, proclaimed the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind.

301. The aim of the Declaration is to promote the realization of the principles which form the basis of the United Nations; it proclaims that the results of scientific and technological developments shall be used in the interests of strengthening international peace and security, freedom and independence, and also for the purpose of the economic and social development of peoples and the realization of human rights and freedoms in accordance with the Charter of the United Nations.

302. The Declaration provides that all States shall take appropriate measures to prevent the use of scientific and technological developments both from limiting or interfering with the enjoyment of human rights without any discrimination whatsoever on grounds of race, sex, language or religious beliefs, and from violating the sovereignty and territorial integrity of other States, from interfering in their internal affairs, from waging aggressive wars, suppressing national liberation movements or from pursuing a policy of racial discrimination.

303. The Declaration also provides that all appropriate measures, including legislative measures, shall be taken to protect all strata of the population from possible harmful effects of the misuse of scientific and technological developments, particularly with regard to respect for privacy and the protection of the human dignity and personality and its physical and intellectual integrity.

(g) *Declaration on the Rights of Disabled Persons*

304. By its resolution 3447 (XXX) of 9 December 1975, the General Assembly adopted the Declaration on the Rights of Disabled Persons, and called for national and international action to ensure that it would be used as a common basis and frame of reference for the protection of these rights.

305. The Declaration reaffirms faith in human rights and fundamental freedoms and in the principles of peace, dignity and the worth of the human person and of social justice as proclaimed in the Charter. It recalls the principles of the earlier international instruments of the United Nations in the human rights field, as well as the standards already set for social progress in the constitutions, conventions, recommendations and resolutions of the specialized agencies.

306. The Declaration defines "disabled person" as any person unable to ensure by himself or herself, wholly or in part, the necessities of a normal individual and/or social life, as a result of a deficiency, either congenital or otherwise, in his or her physical or mental capabilities. Disabled persons shall enjoy all the rights set forth in the Declaration, which shall be granted without discrimination on the basis of race, colour, sex, language, religion, political or other opinions, national or social origin, state of wealth, birth or any other situation applying either to the disabled person himself or herself or to his or her family. Thus, disabled persons have the inherent right to respect for their human dignity, they have the same civil and political rights as other human beings, they have the right to medical, psychological and functional treatment, including prosthetic and orthotic appliances, to medical and social rehabilitation, education, vocational training and rehabilitation, aid, counselling, placement services and other services which will enable them to develop their capabilities and skills to the maximum and will hasten the process of their social integration or reintegration.

307. Disabled persons further have the right to economic and social security and to a decent level of living. They have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions. They have the right to live with their families or with foster parents and to participate in all social, creative or recreational activities. If they stay in a specialized establishment, the environment and living conditions therein shall be as close

as possible to those of the normal life of persons of their age. Disabled persons shall be protected against all exploitation, all regulations and all treatment of a discriminatory, abusive or degrading nature, and paragraph 7 of the Declaration on the Rights of Mentally Retarded Persons[800] applies to any possible limitation or suppression of their rights.

308. The Declaration stresses that disabled persons shall be able to avail themselves of qualified legal aid when such aid proves indispensable for the protection of their persons and property. If judicial proceedings are instituted against them, the legal procedure applied shall take their physical and mental condition fully into account.

(h) *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*

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

310. The Declaration defines the term "torture" as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.

311. The Declaration states that no State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment, and that a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as exceptional circumstances to justify torture or other cruel, inhuman or degrading treatment or punishment.

312. The Declaration provides that each State shall take effective measures to prevent in its territory any cases of torture or other cruel, inhuman or degrading treatment or punishment. The prohibition against torture and other cruel, inhuman or degrading treatment or punishment shall be included in the training, duties and functions of law enforcement personnel and of anyone who may be involved in the custody or treatment of persons deprived of their liberty. All acts of torture as well as all acts which constitute participation in, complicity in, incitement to or an attempt to commit torture shall be offences under criminal law.

313. The Declaration also contains the right to complain to the competent authorities of the State concerned in case of torture or other cruel, inhuman or degrading treatment or punishment committed by or at the instigation of a public official. Those authorities shall promptly proceed to an impartial investigation. The alleged offender or offenders shall be subject to criminal, disciplinary or other appropriate proceedings, and if it is proved that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed, the victim shall be afforded redress and compensation in accordance with national law. The Declaration concludes by affirming that any statement which is established to have been made as a result of torture or other cruel, inhuman or degrading treatment or punishment may not be invoked as evidence against the person concerned or against any other person in any proceedings.

(ii) *Civil and political rights*

314. The Economic and Social Council, on the recommendation of the Commission on Human Rights, adopted resolution 1786 (LIV) of 18 May 1973, in which it expressed its warm appreciation to the Special Rapporteur and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for the *Study of Discrimination in the Matter of Political Rights*[801] and the draft general principles on freedom and non-discrimination in the matter of political rights, annexed thereto. The Council also expressed the hope that Governments, international and regional intergovernmental organizations, non-governmental organizations and other institutions and bodies concerned would take those texts into account, together with the relevant provisions of the International Covenant on Civil and Political Rights,[802] when considering the question of discrimination in the matter of political rights. The Council further requested the Secretary-General to bring the draft general principles to the attention of the States parties to the International Covenant on Civil and Political Rights at their first meeting, with a view to their transmission to the Human Rights Committee to be established under that Covenant.

(a) *International Covenant on Civil and Political Rights*

315. At its thirty-first session, the General Assembly adopted resolution 31/86 of 13 December 1976, in which it welcomed the entry into force of the International Covenant on Civil and Political Rights and the Optional Protocol thereto. The Assembly also recognized that appropriate arrangements should be made to enable the Human Rights Committee to have staff and facilities which were necessary to hold sessions at such intervals and of such duration as might require the efficient manner to carry out the functions entrusted to it under the Covenant and its Optional Protocol.

316. At its thirty-second and thirty-third sessions, in its resolutions 32/66 of 8 December 1977 and 33/51 of 14 December 1978, the General Assembly noted with appreciation the reports of the Human Rights Committee[803] and expressed satisfaction at the serious manner in which the Committee was undertaking its functions. The Assembly invited all States which had not yet done so to become parties to the International Covenant as well as to consider acceding to the Optional Protocol thereto. It also invited the States parties to the Covenant to consider making the declaration provided for in article 41, by which they would recognize the competence of the Human Rights Committee to receive and consider communications to the effect that a State party claimed that another State Party was not fulfilling its obligations under the Covenant (article 41, para. 1). In the same resolutions, the General Assembly appreciated that the Human Rights Committee strove for uniform stan-

[800]See para. 101 above.

[801]United Nations publication, Sales No. 63.XIV.2.
[802]GA resolution 2200 A (XXI).
[803]A/32/44 and Corr. 1, and A/33/40.

dards in the implementation of the provisions of the Covenant and of the Optional Protocol thereto and emphasized the importance of the strictest compliance by the States parties with their obligations under the Covenant. It also reaffirmed the duty of the Secretary-General under the Covenant to provide the necessary staff and facilities for the effective performance of the Human Rights Committee. It further requested the Secretary-General to keep the Committee informed of the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination, and to transmit the annual reports of the Committee to those bodies.

317. By its resolution 1978/20 of 5 May 1978, the Economic and Social Council noted that the States parties to the International Covenant on Civil and Political Rights had undertaken, in accordance with article 40 of the Covenant, to submit reports to the Human Rights Committee on the measures they had adopted which gave effect to the rights recognized therein and on the progress made in the enjoyment of those rights : (a) within one year of the entry into force of the Covenant for the States parties concerned; (b) thereafter whenever the Committee so requested. It therefore decided to exempt States parties to the Covenant from submitting reports on similar questions under the periodic reporting procedure established under Council resolution 1074 C (XXXIX) of 28 July 1965.

(b) *Rights relating to the freedom and integrity of the person*

318. With respect to slavery, the Economic and Social Council adopted resolution 1695 (LII) of 2 June 1972, in which it called upon all States to enact any legislation necessary to prohibit slavery and the slave trade in all their practices and manifestations, and to provide effective penal sanctions for persons committing or ordering to be committed those acts. The Council also called upon all eligible States which had not yet done so to ratify the following International Labour Organization Conventions which deal with matters closely related to the abolition of slavery, the slave trade and institutions and practices similar to slavery: the Employment Policy Convention (No. 122) of 1965, the Forced Labour Convention (No. 29) of 1930, the Abolition of Forced Labour Convention (No. 105) of 1957, the Social Policy (Basic Aims and Standards) Convention (No. 117) of 1962, the Freedom of Association and Protection of the Right to Organize Convention (No. 87) of 1948, the Right to Organize and Collective Bargaining Convention (No. 98) of 1949, and the Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-tribal Populations in Independent Countries (No. 107) of 1957. It further invited the International Criminal Police Organization—INTERPOL to cooperate with the United Nations in its efforts to eliminate slavery, the slave trade and institutions and practices similar to slavery. In the same resolution, the Council recommended that Governments, through the Secretary-General, should call upon the experts on the list kept by the Secretary-General, and other important persons, in accordance with its resolution 1330 (XLIV) of 31 May 1968, for advice on matters relating to the elimination of slavery and the slave trade. It also directed the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine the possibility of the establishment of some form of permanent machinery to give advice on the elimination of slavery and on the suppression of the traffic in persons and exploitation of slavery and of the prostitution of others, and to make recommendations with a view to seeking the better implementation of the United Nations instruments concerned. It further requested the Secretary-General: (a) to undertake, on the basis of information available to him, a survey of national legislation for the purpose of eliminating practices similar to slavery; (b) to prepare a plan of technical cooperation to contribute to the eradication of slavery and the slave trade, including assistance to facilitate the passage of legislation to promote the elimination of practices covered by the Supplementary Convention on the Abolition of Slavery of 1956; and (c) to ascertain the needs of Governments in that respect.

319. In its decision 16 (LVI) of 17 May 1974,[804] the Economic and Social Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish a working group composed of five of its members to meet for not more than three working days, prior to each session of the Sub-Commission, to review developments and to recommend remedial action in the field of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism, the traffic in persons and the exploitation of the prostitution of others.

320. By its resolution 6 A (XXXI) of 13 September 1978, the Sub-Commission recommended to the Council to authorize it to entrust a Special Rapporteur with the further extension and updating of the *Report on Slavery*.[805] By its resolution 6 B (XXXI) of 13 September 1978, the Sub-Commission noted the recommendations made by the Working Group on Slavery in its reports[806] and decided, inter alia, to inscribe the subject of the exploitation of child labour on the agenda of its thirty-second session in 1979, during the International Year of the Child. The Sub-Commission requested the Secretary-General to undertake, together with the specialized agencies concerned, an in-depth, worldwide study of debt bondage, taking into account all the relevant economic, social and legal aspects and the interconnections with other slavery-like practices. It also requested the Secretary-General to carry out a study of apartheid and colonialism as collective forms of slavery. It invited the specialized agencies concerned to look into the possibility of taking account of debt bondage in their rural development projects and to consider the desirability of specific action to combat it. It further requested the Commission on Human Rights and the Economic and Social Council to extend the period of work of the Working Group to five working days immediately before each session of the Sub-Commission.

321. With respect to capital punishment, the General Assembly, at its twenty-sixth session, adopted resolution 2857 (XXVI) of 20 December 1971, in which it noted with satisfaction the measures already taken by a number of States in order to ensure careful legal procedures and safeguards for the accused in capital cases. The Assembly considered that further efforts should be made to ensure such procedures and safeguards everywhere, and invited Mem-

[804]Based on Sub-Commission resolution 7 (XXVI).
[805]United Nations publication, Sales No. 67.XIV.2.
[806]E/CN.4/Sub.2/AC. 2/389 and E/CN.4/Sub.2/AC. 2/410.

ber States which had not yet done so to inform the Secretary-General of their legal procedures and safeguards as well as of their attitude to the possible further restriction of the use of the death penalty or its total abolition. It also requested the Secretary-General to prepare a separate report concerning practices and statutory rules which might govern the right of a person sentenced to capital punishment to petition for pardon, commutation or reprieve.

322. At its twenty-seventh session, the General Assembly, by its resolution 3011 (XXVII) of 18 December 1972, requested the Secretary-General to prepare the report to be submitted to the Economic and Social Council in such a way as to update the reports on capital punishment[807] provided in 1962 and 1967, and to inform the Council of the progress made in collecting information. It also invited the Council to consider the current situation and trends with regard to capital punishment.

323. In its resolution 1745 (LIV) of 16 May 1973, the Economic and Social Council, having considered the third report of the Secretary-General on capital punishment,[808] found that scientifically based studies were needed to improve the knowledge and understanding of the death penalty and to define what further work could be done by the United Nations in that field, including studies embracing: the redefinition of criminal offences to which the death penalty was applied; the restriction of the variety and form of such offences to which the death penalty was applied; the promotion of studies undertaken on a transregional basis taking into account groups of countries with similar legal, social and economic systems, and similar levels of economic and social development; and the promotion of individual country studies to determine the economic, social and educational levels of persons executed and of those convicted but not executed in retentionist States over the last two decades. The Council also reaffirmed that the main objective to be pursued was that of progressively restricting the number of offences for which capital punishment might be imposed with a view to the desirability of abolishing capital punishment. In the same resolution, the Council noted that, since the publication of the second report of the Secretary-General,[809] capital punishment had been abolished in six countries. It considered as further positive signs towards the abolition of capital punishment the fact that, in countries where it still existed, it was generally considered as an exceptional measure which in most cases had not been applied for a long time, and the progressive restriction in those countries of ordinary offences for which it was or might be imposed. The Council expressed its concern at the introduction on occasion of harsher methods of execution involving, for example, torture or beating, no matter where or under what circumstances they might have occurred. It invited the Secretary-General to submit to it periodic updated and analytical reports at five-year intervals starting from 1975. It also invited Member States, inter alia, to include in their periodic reports submitted according to its resolution 1074 C (XXXIX) of 28 July 1965 any further change in the situation in regard to capital punishment and safeguards thereto. It further invited the Committee on Crime Prevention and Control to examine the third report of the Secretary-General and to submit to it comments and recommendations, through the relevant functional commissions, to stimulate at the international and national levels a better understanding of the issues involved in the question of capital punishment.

324. In its resolution 1930 (LVIII) of 6 May 1975, the Economic and Social Council shared the views expressed in the report submitted by the Secretary-General under resolution 1745 (LIV) of 16 May 1973,[810] that a majority of Member States had gradually accepted a concern favouring the eventual abolition of capital punishment, and that the total number of offences for which the death penalty could be imposed had been progressively declining in many parts of the world. The Council reaffirmed the principle established in resolution 1745 (LIV) that the main objective to be pursued in the field of capital punishment was that of progressively restricting the number of offences for which the death penalty might be imposed, with a view to the desirability of abolishing that punishment. It also requested the Committee on Crime Prevention and Control to study appropriate ways to analyse the position of Member States in the field of capital punishment and to stimulate the carrying out of studies concerning the matter, especially in countries where new penal legislation was being elaborated. The Council further requested the Secretary-General to proceed with the report foreseen in General Assembly resolution 2857 (XXVI) of 20 December 1971.[811]

325. At its thirty-second session, the General Assembly adopted resolution 32/61 of 8 December 1977, in which it expressed the desirability of continuing and expanding the consideration of the question of capital punishment by the United Nations. It urged Member States to provide the Secretary-General with relevant information for his preparation of reports on the matter. In the same resolution, the General Assembly invited the Economic and Social Council to report to it on the deliberations and recommendations of the Council on the basis of the reports of the Secretary-General and of the study to be submitted by the Committee on Crime Prevention and Control in accordance with Council resolution 1930 (LVIII) of 6 May 1975. It also called upon the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to discuss the various aspects of the use of capital punishment and the possible restriction thereof, including a more generous application of rules relating to pardon, commutation or reprieve, and to report thereon to it with recommendations.

326. With respect to crime prevention and control, the Economic and Social Council, at its fiftieth session, adopted resolution 1584 (L) of 21 May 1971, in which it took into account the note by the Secretary-General on criminality and social change,[812] the conclusions and recommendations of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,[813] held at Kyoto (Japan) from 17 to 26 August 1970, and the recommendations of the Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders,[814] which had met after the Congress. The Council

[807] *Capital Punishment*, United Nations publication, Sales No. : E.67.IV.15.
[808] E/5242 and Add. 1.
[809] See *Capital Punishment*, United Nations publication, Sales No. : E.67.IV.15, part II : "Developments, 1961 to 1965".
[810] E/5616 and Corr.1 and 2 and Add. 1.
[811] See para. 146 above.
[812] E/CN.5/461.
[813] E/CN.5/469.
[814] E/CN.5/457.

also recognized the historic importance of the Declaration unanimously adopted by the Congress, endorsed the Declaration, commended it to the attention of Governments and urged the Secretary-General to give it the widest possible circulation as well as to implement to the fullest extent its conclusions and recommendations applicable to the United Nations. In the same resolution, the Council decided to enlarge from 10 to 15 the membership of the Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders. It also decided that the members of the Committee should be appointed by it on the recommendation of the Secretary-General, and that the Committee should be renamed the Committee on Crime Prevention and Control.

327. By its resolution 2843 (XXVI) of 18 December 1971, the General Assembly welcomed Economic and Social Council resolution 1584 (L) of 21 May 1971 and the action taken to implement the conclusions of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

328. The General Assembly, in its resolution 3021 (XXVII) of 18 December 1972, endorsed once again the provisions and recommendations of Economic and Social Council resolution 1584 (L) of 21 May 1971, and requested the Secretary-General to take the necessary measures for the preparation of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. It also instructed the Committee on Crime Prevention and Control to submit a report to the General Assembly through the Economic and Social Council on the methods and ways likely to be most effective in preventing crime and improving the treatment of offenders, including recommendations on the measures most appropriate in such areas as law enforcement, judicial procedures and correctional practices.

329. At its fifty-fourth session, the Economic and Social Council, by its resolution 1794 (LIV) of 18 May 1973, invited the Committee on Crime Prevention and Control to consider the possibility of including in its work programme the question of preparing an international code of police ethics and to transmit its recommendations on the desirability, scope and possible content of such a code to the Commission on Human Rights.

330. At its sixty-second session, the Economic and Social Council adopted resolution 2075 (LXII) of 13 May 1977, in which it decided to submit to the General Assembly resolutions of the Committee on Crime Prevention and Control on its fourth session:[815] resolution I on the report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, resolution II on the methods and ways likely to be most effective in preventing crime and improving the treatment of offenders, and resolution III on the Code of Conduct for Law Enforcement Officials.

331. The General Assembly, in its resolution 32/58 of 8 December 1977, took note of the report entitled "Methods and ways likely to be most effective in preventing crime and improving the treatment of offenders" as a guideline for future United Nations activities directed towards the prevention and control of crime and delinquency and the treatment of offenders. It invited Member States to make use of the report, as appropriate, in formulating national crime prevention policies and strategies. It urged all Member States, as well as international governmental and non-governmental organizations, to support the United Nations Trust Fund for Social Defence and the international and regional institutes in crime prevention and control. It recommended that the Secretary-General should draw on the report in formulating proposals for future medium-term plans in crime prevention and criminal justice.

332. By its resolution 32/59 of 8 December 1977, the General Assembly requested the Secretary-General to implement to the fullest extent possible the conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. It stressed the need for intensive international and regional cooperation in crime prevention and control, as well as coordination among all the United Nations organs and organizations concerned. It also invited Member States to give maximum attention and support to the relevant conclusions of the Congress and to provide to the Secretary-General, in time for submission to the Sixth Congress to be held at Sydney in 1980, information relating to the measures taken in that respect. It further requested the Secretary-General, pursuant to existing practice, to take the necessary measures for the preparation of the Sixth Congress.

333. In its resolution 32/60 of 8 December 1977, the General Assembly requested the Economic and Social Council to consider in a comprehensive manner the question of crime prevention and control with a view to further coordination of the activities of United Nations bodies in that field, in particular the preparation every five years of a United Nations congress on the prevention of crime and the treatment of offenders, the publication of the *International Review of Criminal Policy* and the provision of technical assistance to interested Member States at their request. The Assembly also entrusted the Committee on Crime Prevention and Control with the functions of preparing the congresses by submitting appropriate proposals to the Economic and Social Council, and of reviewing the provisional rules of procedure of the Congress with a view to bringing them into conformity with current practice in other United Nations bodies, conferences and congresses convened under the auspices of the United Nations. The General Assembly further decided that the members of the Committee should be elected by the Council for a term of four years, with half the membership being elected every two years, on the basis of the principle of equitable geographical distribution, from among experts who possessed the necessary qualifications and professional or scientific knowledge in the field and were nominated by Member States. It invited the Council to request the Commission for Social Development to consider the question of the functions and long-term programme of work of the Committee with a view to further improving United Nations activities in the field, and to submit its suggestions and proposals to the Council.

334. In its resolution 33/179 of 20 December 1978, the General Assembly recommended that a working group should be established at the beginning of its next session to continue the elaboration of the draft Code of Conduct for Law Enforcement Officials and requested the Secretary-General to allocate sufficient staff and resources to enable it to complete its task. It also expressed the hope that the draft Code would be adopted during its next session.

[815] E/CN.5/536.

335. With respect to torture and other cruel, inhuman or degrading treatment or punishment, the General Assembly, at its twenty-eighth session, adopted resolution 3059 (XXVIII) of 2 November 1973, in which it stated that it was gravely concerned that torture was still practised in various parts of the world. The Assembly rejected any form of torture and other cruel, inhuman or degrading treatment or punishment. It urged all Governments to become parties to existing international instruments containing provisions relating to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. It decided to examine the question in relation to detention and imprisonment as an item at a future session.

336. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its twenty-seventh session, considered the question of the human rights of persons subjected to any form of detention or imprisonment. In its resolution 7 (XXVII) of 20 August 1974, it stated that torture and other forms of cruel, inhuman or degrading treatment and punishment were flagrant violations of human rights and that all available information suggested that in several countries there might be a consistent pattern of such violations. The Sub-Commission decided to review annually developments in the field and for that purpose to retain the item on its agenda.

337. At its twenty-ninth session the General Assembly, by its resolution 3218 (XXIX) of 6 November 1974, requested Member States to furnish to the Secretary-General, for submission to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, information relating to the legislative, administrative and judicial measures, including remedies and sanctions, aimed at safeguarding persons within their jurisdiction from being subjected to torture and other cruel, inhuman or degrading treatment or punishment, as well as observations and comments on the draft principles on freedom from arbitrary arrest and detention. The Assembly also requested the Fifth United Nations Congress to give urgent attention to the question of the development of an international code of ethics for police and related law enforcement agencies and to include, in the elaboration of the Standard Minimum Rules for the Treatment of Prisoners, rules for the protection of all persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment. The General Assembly further invited the World Health Organization to draft an outline of the principles of medical ethics which might be relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment and to bring the draft to the attention of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

338. At its thirtieth session, the General Assembly, in its resolution 3452 (XXX) of 9 December 1975, adopted the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[816]

339. At the same session, the General Assembly, in its resolution 3453 (XXX) of 9 December 1975, requested the Commission on Human Rights to study the question of torture and any necessary steps for: ensuring the effective observance of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the formulation of a body of principles for the protection of all persons under any form of detention or imprisonment on the basis of the *Study of the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile*[817] and the draft principles on freedom from arbitrary arrest and detention contained therein. The Assembly also invited the World Health Organization to continue the study and elaboration of principles of medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment from torture and other cruel, inhuman or degrading treatment or punishment.

340. By its resolution 10 B (XXXII) of 5 March 1976, the Commission on Human Rights noted General Assembly resolutions 3452 (XXX) and 3453 (XXX) and requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to draw up, on the basis of the *Study of the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile*, the draft principles on freedom from arbitrary arrest and detention and other relevant documents and reports submitted to the General Assembly, the Economic and Social Council and the Commission, a body of principles for the protection of all persons under any form of detention or imprisonment.

341. The Economic and Social Council, in its resolution 1993 (LX) of 12 May 1976, urged the Sub-Commission to give adequate attention to the task entrusted to it in Commission on Human Rights resolution 10 B (XXXII), and requested the Committee on Crime Prevention and Control to study the range of application of the Standard Minimum Rules for the Treatment of Prisoners and to formulate a set of implementing procedures for those Rules.

342. By its resolution 31/85 of 13 December 1976, the General Assembly noted the decision of the Sub-Commission of 20 August 1976 to appoint a Special Rapporteur to prepare the first draft of a body of principles for the protection of all persons under any form of detention or imprisonment, and Sub-Commission resolution 3 A (XXIX) of 31 August 1976 in which the Sub-Commission recommended the appointment of a working group to analyse the material received in connection with its annual review of developments relating to the question of human rights of persons subjected to any form of detention or imprisonment.[818] The General Assembly requested the Commission on Human Rights to submit through the Economic and Social Council a comprehensive report on the elaboration of the body of principles and once again invited the World Health Organization to prepare a draft code on medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment.

343. In its resolution 32/62 of 8 December 1977, the General Assembly requested the Commission on Human Rights to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment, in the light of the principles embodied in the Declaration on the Protection of All Persons from Being Sub-

[816]See also paras. 134-138 above.

[817]United Nations publication, Sales No.65.XIV.2.

[818]See E/CN.4/1218, chap. XVII.

jected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

344. By its resolution 32/63 of 8 December 1977, the General Assembly requested the Secretary-General to draw up and circulate among Member States a questionnaire soliciting information concerning steps they had taken, including legislative and administrative measures, to put into practice the principles of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It also requested the Secretary-General to submit to it the information provided in response to the questionnaire and furthermore to submit such information to the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

345. In its resolution 32/64 of 8 December 1977, the General Assembly called upon all Member States to reinforce their support of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by making unilateral declarations against torture and other cruel, inhuman or degrading treatment or punishment, along the lines of the text which was annexed to the resolution, and depositing them with the Secretary-General. The Assembly also urged all Member States to give maximum publicity to their unilateral declarations. It further requested the Secretary-General to inform it, in annual reports, of such unilateral declarations as might be deposited by Member States.

346. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1978/17 of 5 May 1978, in which it authorized the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a working group of five of its members to meet for not more than five days prior to the next session of the Sub-Commission to prepare a revised draft body of principles for the protection of all persons under any form of detention or imprisonment. The Council also requested the Sub-Commission to submit to the Commission a comprehensive report with the draft body of principles.

347. In its decision 1978/24 of 5 May 1978, the Economic and Social Council approved the recommendation made by the Commission on Human Rights that it should authorize a working group open to all members of the Commission to meet for one week immediately before its next session with the task of preparing concrete drafting proposals for a draft convention on torture and other cruel, inhuman or degrading treatment or punishment. By its resolution 33/178 of 20 December 1978, the General Assembly endorsed Council decision 1978/24 of 5 May 1978.

348. By its resolution 5 C (XXXI) of 13 September 1978, the Sub-Commission on Prevention of Discrimination and Protection of Minorities decided to submit to the Commission on Human Rights for consideration the report of the working group on a draft body of principles for the protection of all persons under any form of detention or imprisonment.[819] The Sub-Commission also recommended that the Commission adopt the draft body of principles.

[819]E/CN.4/Sub.2/406.

349. The Declaration on the Rights of Mentally Retarded Persons, proclaimed by the General Assembly in its resolution 2856 (XXVI) of 20 December 1971, provides that the mentally retarded person has a right to protection from exploitation, abuse and degrading treatment.[820]

350. The Declaration on the Protection of Women and Children in Emergency and Armed Conflict, proclaimed by the General Assembly in its resolution 3318 (XXIX) of 14 December 1974, provides that all the necessary steps shall be taken to ensure the prohibition of measures such as persecution, torture, punitive measures, degrading treatment and violence, particularly against that part of the civilian population that consists of women and children. All forms of repression and cruel and inhuman treatment of women and children committed by belligerents in the course of military operations or in occupied territories shall be considered criminal.[821]

351. The Declaration on the Rights of Disabled Persons, proclaimed by the General Assembly in its resolution 3447 (XXX) of 9 December 1975, provides that disabled persons shall be protected against all exploitation, all regulations and all treatment of a discriminatory, abusive or degrading nature.[822]

352. With respect to torture in southern Africa, the General Assembly, in its resolution 2714 (XXV) of 15 December 1970, condemned any and every practice of torture and ill-treatment of prisoners, detainees and captured freedom fighters in South Africa, Namibia, Southern Rhodesia and the African Territories under Portuguese domination, as well as of persons in police custody in those Territories. The General Assembly reaffirmed that the Standard Minimum Rules for the Treatment of Prisoners applied to all political prisoners or detainees, in prison or in police custody throughout those Territories. It also called upon the Government of South Africa to implement the recommendations contained in the earlier reports of the Ad Hoc Working Group of Experts on the treatment of political prisoners in South Africa.[823]

353. In its resolution 2764 (XXVI) of 9 November 1971, the General Assembly expressed its grave indignation and concern over any and every act of maltreatment and torture of opponents of apartheid in South Africa and the increased persecution of religious leaders opposed to that policy. It requested the Special Committee on Apartheid to prepare a special report on all known cases of maltreatment and torture of prisoners in South Africa, together with any other information pertinent to those cases. It also requested the Secretary-General to publicize, through the Unit on Apartheid and the Office of Public Information, all available information on the maltreatment and torture of prisoners and detainees in South Africa and the persecution of opponents of apartheid, including religious leaders.

354. In its resolution 2082 A (LXII) of 13 May 1977, the Economic and Social Council decided that the Ad Hoc Working Group of Experts on Southern Africa, in conjunction with the Special Committee against Apartheid, should examine the treatment of prisoners in South Africa, Namibia and Zimbabwe, including the deaths of a number

[820]See also paras. 97-101 above.
[821]See also paras. 121-124 above.
[822]See also paras. 129-133 above.
[823]Established under Commission on Human Rights resolution 2 (XXIII).

of detainees, as well as police brutality during peaceful demonstrations against apartheid in South Africa since the Soweto massacre of 16 June 1976. By its resolution 2082 B (LXII) of 13 May 1977, the Economic and Social Council noted that the South African racist régime had continued to employ violence and massive repression against the black people and all opponents of apartheid in defiance of the resolutions of the General Assembly, and recommended that the General Assembly should declare 1978 International Anti-Apartheid Year.

355. By its resolution 32/65 of 8 December 1977, the General Assembly condemned the South African regime for its practice whereby it persistently subjected all opponents of apartheid to summary banning, detention, imprisonment and sometimes murder, in violation of the Universal Declaration of Human Rights and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Assembly demanded that the minority apartheid regime of South Africa release all political prisoners without precondition, lift all banning and house arrest orders imposed on opponents of apartheid and put an immediate end to the indiscriminate use of violence against peaceful demonstrators against apartheid as well as to the persistent recourse to torture of political detainees.

356. With respect to international terrorism, the General Assembly, at its twenty-seventh session, adopted resolution 3034 (XXVII) of 18 December 1972, in which it expressed deep concern over increasing acts of violence which endangered or took a toll of innocent human lives or jeopardized fundamental freedoms. It invited States to consider the subject matter urgently and to submit observations to the Secretary-General, including concrete proposals for finding an effective solution to the problem. It also decided to establish an Ad Hoc Committee on International Terrorism consisting of 35 members to be appointed by its President bearing in mind the principle of equitable geographical representation. It further requested the Ad Hoc Committee to consider the observations submitted by States and to present to it a report with recommendations for possible cooperation for the speedy elimination of the problem.[824]

357. At its thirty-second session, the General Assembly adopted resolution 32/147 of 16 December 1977, in which it requested the Secretary-General to transmit to the Ad Hoc Committee on International Terrorism an analytical study of the observations submitted by States under resolution 3034 (XXVII) of 18 December 1972 and invited the Ad Hoc Committee to continue its work first by studying the underlying causes of terrorism and then by recommending practical measures to combat it.

358. With respect to the taking of hostages, the General Assembly, at its thirty-first session, adopted resolution 31/103 of 15 December 1976, in which it expressed its concern at the increase of acts of hostage-taking, which endangered innocent human lives and violated human dignity. It decided to establish an Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages, composed of 35 Member States to be appointed by its President, after consultations with the chairmen of the regional groups and on the basis of equitable geographical distribution and of representation of the principal legal systems of the world.

359. By its resolutions 32/148 of 16 December 1977 and 33/19 of 29 November 1978, the General Assembly noted the recommendation of the Ad Hoc Committee on the Drafting of an International Convention against the Taking of Hostages that it should continue its work in 1978 and in 1979, decided that the Ad Hoc Committee should continue to draft at the earliest possible date the international convention, and invited Governments to submit, or to bring up to date, suggestions and proposals for consideration by the Ad Hoc Committee.

360. With respect to disappeared persons, the General Assembly, at its thirty-third session, adopted resolution 33/173 of 20 December 1978, in which it stated that it was deeply concerned by reports from various parts of the world relating to enforced or involuntary disappearances of persons as a result of excesses on the part of law enforcement or security authorities or similar organizations, often while such persons were subject to detention or imprisonment, as well as of unlawful actions or widespread violence. It also affirmed that it was concerned at reports of difficulties in obtaining reliable information from competent authorities as to the circumstances of such persons, including reports of the persistent refusal of such authorities or organizations to acknowledge that they held such persons in their custody or otherwise to account for them. It called upon Governments, inter alia, to devote appropriate resources, in case of reports of enforced or involuntary disappearances, to search for such persons and to undertake speedy and impartial investigations, as well as to ensure that the human rights of all persons, including those subjected to any form of detention and imprisonment, were fully respected. It further requested: (a) the Commission on Human Rights to consider the question of disappeared persons with a view to making appropriate recommendations, and (b) the Secretary-General to continue to use his good offices in such cases.

(c) *Rights relating to recognition before the law and the protection of the law*

361. With respect to the elimination of all forms of racial discrimination, the General Assembly, at its twenty-fifth session, adopted resolution 2646 (XXV) of 30 November 1970, in which it welcomed the observance of 1971 as the International Year for Action to Combat Racism and Racial Discrimination. The Assembly urged all Governments, the specialized agencies and all other organizations concerned to make renewed efforts to take effective and practical measures to that end. It also requested the Secretary-General to print and disseminate as widely as possible, for use during the International Year, the *Special Study of Racial Discrimination in the Political, Economic, Social and Cultural Spheres*.[825] It further urged all those States which were not yet parties to the International Convention on the Elimination of All Forms of Racial Discrimination to take steps to accede to it or ratify it.

362. At the same session, the General Assembly, in resolution 2647 (XXV) of 30 November 1970, entitled "Elimination of all forms of racial discrimination", urged Member States to do their utmost to eliminate all racial discrimination in education, employment, housing and

[824]See also GA resolution 31/102.

[825]United Nations publication, Sales No.: E.71.XIV.2.

other fields of community life, and to encourage the development of multiracial activities with a view to removing obstacles to understanding among the various racial groups. It also reaffirmed its intention to take the opportunity of the International Year for Action to Combat Racism and Racial Discrimination to promote throughout the world social justice based on absolute respect for the dignity of the individual.

363. At its twenty-sixth session, the General Assembly adopted resolution 2785 (XXVI) of 6 December 1971, in which it expressed its appreciation to the Governments and to all organs which contributed positively to the observance of the International Year for Action to Combat Racism and Racial Discrimination. It recommended that the measures and activities undertaken on the occasion of the International Year should be developed and enlarged in order to ensure that the work accomplished in 1971 would be pursued. It endorsed the invitation addressed by the Economic and Social Council to the International Labour Organization and UNESCO to provide the Commission on Human Rights with reports on the nature and effect of any racial discrimination the existence of which they had knowledge in their sphere of competence and requested that such reports should be submitted annually. It also endorsed the invitation addressed by the Council to the non-governmental organizations in consultative status to communicate biennially to the Council their endeavours and progress in the struggle against racism, apartheid and racial discrimination in all its forms. In the same resolution, the General Assembly requested the Secretary-General to study information programmes on all questions relating to racial discrimination and to pursue a worldwide programme intended to build up public opinion, especially through radio and television broadcasts, and the distribution of appropriate literature, with a view to eradicating once and for all false racial beliefs based upon distortion or lack of scientific knowledge and showing how the different races complement one another.

364. By its resolutions 1782 (LIV) and 1783 (LIV) of 18 May 1973, the Economic and Social Council noted with interest the various activities of non-governmental organizations in combating racism, racial discrimination, apartheid and related matters.[826] It invited the non-governmental organizations to intensify their efforts during the twenty-fifth anniversary year of the Universal Declaration of Human Rights and during the Decade for Action to Combat Racism and Racial Discrimination. It requested its Committee on Non-Governmental Organizations to draw up appropriate recommendations regarding the role of non-governmental organizations in the programme for the Decade.

365. At its twenty-eighth session, the General Assembly, by resolution 3057 (XXVIII) of 2 November 1973, designated the ten-year period beginning on 10 December 1973 as the Decade for Action to Combat Racism and Racial Discrimination. It approved the Programme for the Decade, which included the convening of a world conference on combating racial discrimination, preferably not later than 1978, called upon all States to cooperate in every possible way in its implementation and invited competent organizations of the United Nations system and non-governmental organizations in consultative relationship concerned, to participate in the observance of the Decade by intensifying and expanding their efforts towards ensuring the rapid eradication of racism and racial discrimination. The General Assembly also called upon all Member States to submit every two years to the Economic and Social Council a report on the action taken under the Programme, and requested the Council to assume, with the assistance of the Secretary-General, responsibility for coordinating the Programme and evaluating activities. It further requested the Secretary-General to take the necessary measures for the implementation of those suggestions contained in the Programme which fell within the Secretary-General's area of responsibility or which required action by other organs of the United Nations, as well as to serve as a central point from which information relating to the Programme might be obtained.

366. At its thirtieth session, in its resolution 3379 (XXX) of 10 November 1975, the General Assembly recalled its resolution 1904 (XVIII) of 20 November 1963 proclaiming the United Nations Declaration on the Elimination of All Forms of Racial Discrimination. It also took note of the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, 1975,[827] proclaimed by the World Conference of the International Women's Year, as well as resolution 77 (XII) adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twelfth ordinary session,[828] held at Kampala from 28 July to 1 August 1975, and the Political Declaration and Strategy to Strengthen International Peace and Security and to Intensify Solidarity and Mutual Assistance among Non-Aligned Countries,[829] adopted at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held at Lima from 25 to 30 August 1975. The General Assembly then determined that Zionism was a form of racism and racial discrimination.

367. At its thirty-second session, the General Assembly adopted resolution 32/129 of 16 December 1977, in which it decided to convene the World Conference to Combat Racism and Racial Discrimination at Geneva from 14 to 25 August 1978. It also urged all States to cooperate with the Secretary-General of the Conference in the preparatory work.

368. At its thirty-third session, the General Assembly, by itsresolution 33/99 I of 16 December 1978, approved the Declaration and the Programme of Action adopted by the World Conference to Combat Racism and Racial Discrimination, and requested the Secretary-General to circulate his report on the work of the Conference[830] and requested the Economic and Social Council to carry out an evaluation of the activities undertaken in connection with the Decade for Action to Combat Racism and Racial Discrimination. At the same time, the General Assembly requested the Secretary-General to submit to the Economic and Social Council a report containing concrete and detailed suggestions on specific activities which could be undertaken during the second half of the Decade.

369. With respect to the Committee on the Elimination of Racial Discrimination, the General Assembly, by its res-

[826]See E/5237 and Add. 1 and 2.

[827]United Nations publication, Sales No. E.76.IV.1, chap. I.
[828]See A/10297, annex II.
[829]A/10217 and Corr. 1, annex, p. 3.
[830]A/33/262.

olution 2783 (XXVI) of 6 December 1971, expressed the view that the work of the Committee would be facilitated if the reports submitted by States parties conformed with the guidelines laid down by the Committee for that purpose and if the Committee invited States parties to be present at its meetings when their reports were examined. The General Assembly also recognized that its consideration of the reports of the Committee would be facilitated by the inclusion of the criteria used by the Committee when it examined in greater depth the substance of the reports of States parties.

370. In its resolution 2921 (XXVII) of 15 November 1972, the General Assembly welcomed the adoption of the new procedure for the consideration of reports submitted by States parties, which included an invitation to States parties to be present at, and take part in, the Committee's discussions when their reports were under consideration.

371. By its resolution 3134 (XXVIII) of 14 December 1973, the General Assembly endorsed the request of the Committee on the Elimination of Racial Discrimination in its decision 2 (VIII) of 21 August 1973 concerning specific information to be made available to the Committee by the Trusteeship Council and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples under article 15 of the Convention, on Trust Territories, Non-Self-Governing Territories and all other Territories to which General Assembly resolution 1514 (XV) of 14 December 1960 applied. The General Assembly also expressed the conviction that the Committee, by fulfilling its responsibilities under the Convention, would contribute to the implementation of Assembly resolution 3057 (XXVIII) of 2 November 1973 relating to the Decade for Action to Combat Racism and Racial Discrimination.

372. The General Assembly, by its resolution 3266 (XXIX) of 10 December 1974, endorsed the decision of the Committee on the Elimination of Racial Discrimination to make its contribution, in the context of the Decade for Action to Combat Racism and Racial Discrimination and the Programme for the Decade, to the total and unconditional elimination of racism and racial discrimination, especially by concentrating its efforts, pursuant to articles 3, 9 and 15 of the Convention on the Elimination of All Forms of Racial Discrimination, on preparing recommendations with regard to the most flagrant and large-scale manifestations of racial discrimination, particularly in areas which were still under the domination of racist and colonial regimes and foreign occupation. The General Assembly also commended the practice of the Committee, inaugurated in its adoption of general recommendation III,[831] of welcoming information from States parties to the Convention regarding their respective implementation of the relevant resolutions of competent United Nations organs concerning relations with the racist regimes of southern Africa.

373. The General Assembly, by its resolution 32/13 of 7 November 1977,[832] took note of the report of the Committee on the Elimination of Racial Discrimination and in particular of the part of the report relating to Trust and Non-Self-Governing Territories and to all other Territories to which its resolution 1514 (XV) of 14 December 1960 applied. The General Assembly drew the attention of the relevant United Nations bodies to the opinions and recommendations of the Committee relating to those Territories and stressed the necessity of providing the Committee with sufficient information in order to enable it to discharge its responsibilities fully under article 15 of the Convention. It also commended the Committee for furthering the implementation of the Convention on the Elimination of All Forms of Racial Discrimination by requesting the States parties to include in their reports under article 9 information on the measures which they had adopted to give effect to article 7 of the Convention in the fields of teaching, education, culture and information with a view to combating prejudice which leads to racial discrimination, promoting understanding, tolerance and friendship among nations and racial or ethnic groups, and propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and the Convention. The General Assembly further invited States parties to provide necessary information to the Committee in accordance with article 9 of the Convention, taking into account in particular: (a) General recommendation III of 18 August 1972 and decision 2 (XI) of 7 April 1975 on the status of their relations with the racist regimes in southern Africa; (b) General recommendation IV of 16 August 1973 on the demographic composition of their population; and (c) General recommendation V of 13 April 1977 on measures adopted to give effect to article 7 of the Convention. At the same time, the General Assembly expressed its grave concern that some States parties, owing to reasons beyond their control, were being prevented from fulfilling their obligations under the Convention in parts of their respective territories. It invited States parties to observe fully the provisions of the Convention and other international instruments and agreements to which they were parties concerning the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin.

374. With respect to the struggle against apartheid in South Africa, the General Assembly, at its twenty-sixth session, adopted resolution 2775 B (XXVI) of 29 November 1971, in which it commended the UNESCO proposal for the preparation of an educational kit on racial discrimination and apartheid, and requested UNESCO to prepare such a kit for possible adaptation by national commissions for UNESCO and for distribution to institutions of learning. The Assembly also requested UNESCO to consider the production of films and audio-visual material on apartheid, with special reference to its adverse effects on education, science and culture.

375. At the same session, by its resolution 2775 D (XXVI) of 29 November 1971,[833] the General Assembly declared its unqualified support of the Olympic principle that no discrimination should be allowed on the grounds of race, religion or political affiliation. The Assembly solemnly called upon all national and international sports organizations to uphold the Olympic principle of non-discrimination and to discourage and deny support to sporting events organized in violation of the principle. It also called upon individual sportsmen to refuse to partici-

[831] A/8718, chap. IX, sect. B, decision 1 (VI).
[832] See also GA resolution 33/102.
[833] See also GA resolution 3411 E (XXVI).

pate in any sports activity in a country in which there was an official policy of racial discrimination or apartheid in the field of sports. It further noted with regret that some national and international sports organizations had continued exchanges with teams from South Africa, and urged all States to promote adherence to the Olympic principle of non-discrimination and to encourage their sports organizations to withhold support from sporting events organized in violation of the principle.

376. By its resolution 2775 H (XXVI) of 29 November 1971, the General Assembly noted the opposition of the international trade union movement to apartheid and racial discrimination, and appealed to all national and international trade union organizations to intensify their action against apartheid. It also decided to give further consideration to the proposed international trade union conference against apartheid.

377. The General Assembly, in its resolution 2923 F (XXVII) of 13 December 1972 entitled "International Conference of Trade Unions Against Apartheid", welcomed the decision taken by the Workers' Group at the International Labour Conference to convene, at Geneva, in 1973, an international conference of trade unions to work out a common programme of action against apartheid.[834] It commended the Special Committee on Apartheid for its efforts in helping to promote action by the workers of the world against apartheid.[835] It requested and authorized the Special Committee to participate effectively in the proposed International Conference of Trade Unions against Apartheid and in the meeting of the Preparatory Committee for the Conference,[836] and also requested the Secretary-General to provide appropriate assistance to facilitate the holding of the Conference.

378. At its twenty-eighth session, by its resolution 3068 (XXVIII) of 30 November 1973, the General Assembly adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid.[837]

379. At the same session, in its resolution 3151 A (XXVIII) of 14 December 1973 the General Assembly, having considered the report of the Special Committee on Apartheid concerning the International Conference of Trade Unions against Apartheid,[838] commended the resolution adopted on 16 June 1973 by the Conference to the attention of Governments, specialized agencies and intergovernmental and non-governmental organizations.[839] The Assembly also requested the Secretary-General to take appropriate steps to promote and facilitate the effective participation of the trade union organizations in the observance of the Decade for Action to Combat Racism and Racial Discrimination. It further requested the Unit on Apartheid and the Office of Public Information of the Secretariat to make special efforts to acquaint trade unions all over the world with the situation in South Africa and to publicize the activities of the trade union movement aimed at the eradication of apartheid.

380. Still at the same session, by its resolution 3151 E (XXVIII) of 14 December 1973, the General Assembly requested UNESCO to continue its programme of studies, seminars and conferences on the role of culture in combating colonialism, racism and apartheid and, in particular, to consider convening, in cooperation with the Special Committee on Apartheid, a conference of prominent educators, writers and other intellectuals to discuss their role in the struggle against apartheid.[840] The Assembly also requested the Secretary-General and the Special Committee to take appropriate steps to encourage the establishment of national committees against apartheid where they did not exist, and to maintain the closest liaison with such committees.

381. In its resolution 31/6 F of 9 November 1976 entitled "Apartheid in sports", the General Assembly welcomed the proposal for an international convention against apartheid in sports to promote adherence to the Olympic principle of non-discrimination and to discourage and deny support to sporting events organized in violation of that principle. It also decided to establish an Ad Hoc Committee composed of the existing members of the Special Committee against Apartheid and seven other Member States to be appointed by its President on the basis of equitable geographical distribution, to prepare a draft declaration on apartheid in sports, as an interim measure, and to undertake preparatory steps towards the drafting of an international convention on the matter. The General Assembly further called upon Member States and international sporting organizations to actively support projects undertaken in collaboration with the liberation movements towards the formation of non-racial teams truly representative of South Africa.

382. The General Assembly, by its resolution 32/105 B of 14 December 1977, proclaimed the year beginning on 21 March 1978 International Anti-Apartheid Year, and endorsed the programme therefor as recommended by the Special Committee against Apartheid. At the same time, the Assembly requested all Governments, the specialized agencies and other organizations of the United Nations system, intergovernmental and non-governmental organizations, information media and educational institutions to cooperate in the effective observance of the International Anti-Apartheid Year. It also requested the Secretary-General to encourage the widest possible observance of the Year and to provide all necessary assistance to the Special Committee against Apartheid in the discharge of its responsibilities.

383. At the same session, in its resolution 32/105 L of 14 December 1977, the General Assembly took note of the report of the World Conference for Action against Apartheid, held at Lagos in August 1977,[841] endorsed the Lagos Declaration for Action against Apartheid and commended it to all Governments and to all intergovernmental and non-governmental organizations for appropriate and urgent action. It also encouraged the Special Committee against Apartheid to take all appropriate steps, within its mandate, towards the effective implementation of the Lagos Declaration.

384. By its resolution 32/105 M of 14 December 1977, the General Assembly adopted and proclaimed the International Declaration against Apartheid in Sports, recom-

[834]GA resolution 2923 F (XXVII), para. 2.
[835]Ibid., para. 4.
[836]Ibid., para. 5.
[837]See also paras. 102-109 above.
[838]A/9169 and Corr. 1.
[839]Ibid., annex I.

[840]GA resolution 3151 E (XXVIII), para. 2 (b).
[841]United Nations publication, Sales No. E.77.XIV.2 and 3 and corrigendum.

mended by the Ad Hoc Committee on the Drafting of an International Convention against Apartheid in Sports. It also requested the Ad Hoc Committee to draft an international convention against apartheid in sports for submission to it.[842]

385. With respect to the elimination of discrimination against women, the Economic and Social Council adopted resolution 1677 (LII) of 2 June 1972, in which the Council requested States Members of the United Nations, starting in the period 1972-1973, to submit information on the implementation of the Declaration on the Elimination of Discrimination against Women,[843] according to a four-year cycle in which in the first period of two years information would be submitted on the implementation of the civil and political rights set out in the Declaration and in the second period of two years on the implementation of the economic, social and cultural rights set out in the Declaration. The Council also requested Member States, during the period 1972-1973 and thereafter every four years, to submit information to the Secretary-General on the Convention on the Political Rights of Women and, so far as they concerned the rights of women, information on the implementation of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, including information on the practices of apartheid and colonialism which were the worst forms of slavery, and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The Council further requested the Secretary-General to submit to the Commission on the Status of Women analytical reports on the implementation of the Convention on the Political Rights of Women and the Declaration on the Elimination of Discrimination against Women in accordance with the four-year cycle.

386. By its resolution 1852 (LVI) of 16 May 1974, the Economic and Social Council, having recalled its resolution 1677 (LII) of 2 June 1972, expressed its appreciation to the States and non-governmental organizations which had submitted reports in the first series of reports under the new cycle of reporting. It noted with satisfaction the steps taken during the period under review, from June 1971 to June 1973, but it regretted, however, that in many instances full compliance with the Declaration on the Elimination of Discrimination against Women and related instruments had not yet been achieved, that wide discrepancies continued to exist between the *de jure* and *de facto* situations and that serious obstacles would have to be overcome, especially as regards prevailing attitudes towards stereotyped sex roles. The Council urged all Governments, as well as the specialized agencies and non-governmental organizations concerned, to furnish information on the implementation of the Declaration and of related instruments. It further invited Governments to consider, as part of their long-term programme for the International Women's Year, the desirability of appointing as soon as possible national correspondents to assist them in obtaining and compiling the necessary data on a regular basis.

387. On the recommendation of the Commission on the Status of Women, the Economic and Social Council adopted resolution 2058 (LXII) of 12 May 1977, in which it took note with appreciation of the draft Convention on the Elimination of Discrimination against Women completed by the Commission on the Status of Women, and submitted the draft Convention to the General Assembly with a view to its adoption.

388. At its thirty-second and thirty-third sessions, the General Assembly, in its resolutions 32/136 of 16 December 1977 and 33/177 of 20 December 1978, recommended that a working group should be established to consider the articles of the draft Convention on the Elimination of Discrimination against Women with a view to its adoption at the thirty-fourth session.

389. At its thirty-third session, the General Assembly adopted resolution 33/186 of 29 January 1979, entitled "Rationalization of the reporting system on the status of women". In the resolution, the General Assembly recalled, its resolution 3520 (XXX) of 15 December 1975 on the World Conference of the International Women's Year and Economic and Social Council resolution 1677 (LII) of 2 June 1972, and stated that it had in mind the burden placed upon Governments when complying separately with the requests in the aforementioned resolutions. It decided to integrate the reporting systems outlined in those resolutions into a single system and to review the new reporting system in the light of further developments. It also requested the Secretary-General to review in order to simplify, if possible, the contents of the questionnaires forwarded in the context of the integrated reporting system, paying particular attention to regional requirements by selecting evaluation criteria which took account of regional disparities. It further requested the Secretary-General, in compiling reports based on governmental replies on the progress achieved in the improvement of the status of women, to provide analytical comments on obstacles encountered and policies for future action, including, if possible, comparative surveys on developments within each region. At the same time, the General Assembly urged Member States, when preparing their reports, to make use of national machinery established to promote the advancement of women and of the views of the appropriate national non-governmental organizations.

(d) *Rights relating to remedies in connection with violations of rights and to civil procedure*

390. At its twenty-third session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 3 (XXIII) of 25 August 1970, in which it decided to adopt the principles on equality in the administration of justice contained in the study of equality in the administration of justice.[844] The Sub-Commission also decided to transmit the principles to the Commission on Human Rights for examination with regard to the advisability of preparing an international instrument on equality in the administration of justice, or several instruments dealing with various aspects of the problem, and for decision as to subsequent action.

391. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1594 (L) of 21 May 1971, in which it noted that the Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted certain principles relating to equality in the administration of justice. The

[842] GA resolution 32/105 M, para. 2. See also GA resolution 33/183 N.

[843] GA resolution 2263 (XXII).

[844] E/CN.4/Sub.2/296.

Council therefore requested the Secretary-General to print the study of equality in the administration of justice, together with the general principles adopted by the Sub-Commission, and to circulate them as widely as possible. The Council also recommended that the Commission on Human Rights examine the draft principles and take a decision on further action.

392. The General Assembly, by its resolution 2858 (XXVI) of 20 December 1971, endorsed the recommendations contained in Economic and Social Council resolution 1594 (L) of 21 May 1971. The Assembly also drew the attention of Member States to the Standard Minimum Rules for the Treatment of Prisoners and recommended that they should be effectively implemented. The Assembly further took note with satisfaction of the establishment, within the work programme of the Commission for Social Development, of the Working Group on Standard Minimum Rules for the Treatment of Prisoners to advise on methods of strengthening the implementation of the Rules and of improving the reporting procedures thereon.

393. By its resolution 8 (XXVIII) of 4 April 1972, the Commission on Human Rights noted with regret that, owing to lack of time, it had been unable to examine in detail the draft principles relating to equality in the administration of justice[845] which had been adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Commission decided to give high priority to the re-examination of the item.

394. At its thirty-first session, the Sub-Commission adopted resolution 5 E (XXXI) of 13 September 1978, in which it recalled its resolution 3 (XXIII) of 25 August 1970[846] and noted that a prerequisite for ensuring that there should be no discrimination in the administration of justice was the existence of an independent and impartial judiciary as well as of independent lawyers. It decided to request the Secretary-General to prepare and submit to it a preliminary study with regard to such measures as had hitherto been taken and the conditions regarded as essential to ensure and secure the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, to the end that there should be no discrimination in the administration of justice.

395. The Declaration on the Rights of Mentally Retarded Persons of 1971 provides that if a mentally retarded person is prosecuted for any offence, he shall have a right to due process of law with full recognition being given to his degree of mental responsibility.[847]

396. The Declaration on the Rights of Disabled Persons of 1975 provides that if judicial proceedings are instituted against disabled persons, the legal procedure applied shall take their physical and mental condition fully into account.[848]

397. The Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1975 provides that any person who alleges that he has been subjected to torture or other cruel, inhuman or degrading treatment or punishment by or at the instigation of a public official shall have the right to complain to, and to have his case impartially examined by, the competent authorities of the State concerned (article 8). If an investigation under article 8 establishes that an act of torture appears to have been committed, criminal proceedings shall be instituted against the alleged offender or offenders in accordance with national law (article 10), and the victim shall be afforded redress and compensation in accordance with national law (article 11).[849]

(e) *Rights relating to criminal offences*

398. With respect to war crimes and crimes against humanity, the General Assembly, at its twenty-fifth session, adopted resolution 2712 (XXV) of 15 December 1970, in which it called upon all States to take measures to arrest war criminals and persons who had committed crimes against humanity and who were continuing to take refuge in the territories of certain States. The General Assembly appealed to all States to extradite such persons to the countries where they had committed war crimes and crimes against humanity, so that they could be brought to trial and punished in accordance with the laws of those countries. It also called upon all States concerned to intensify their cooperation in the collection and exchange of information which would contribute to the detection, arrest, extradition, trial and punishment of such persons. It further appealed to Governments to provide the Secretary-General with information on the measures which they had taken or were taking to become parties to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, appealed to States which had not yet become parties to the Convention to do so as soon as possible, as well as strictly to observe its resolution 2583 (XXIV) of 15 December 1969 to the effect that they should refrain from action running counter to the main purposes of that Convention.

399. At its twenty-sixth session, the General Assembly adopted resolution 2840 (XXVI) of 18 December 1971, in which it noted with regret that the numerous decisions taken by the United Nations on the question of the punishment of war criminals and of persons who had committed crimes against humanity were still not being fully complied with. It urged all States to implement its relevant resolutions, and requested the Commission on Human Rights to consider the principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity, and to submit to it a report on that question.

400. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1691 (LII) of 2 June 1972, by which it requested the Secretary-General to submit to the General Assembly and to the Commission on Human Rights an analytical survey of the comments, observations and proposals received from States in accordance with General Assembly resolution 2712 (XXV) of 15 December 1970, having regard to the need to formulate principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.

401. At its twenty-seventh session, the General Assembly, in its resolution 3020 (XXVII) of 18 December 1972, took note of the draft principles submitted to its Third

[845] E/CN.4/1077, annex.
[846] See para. 215 above.
[847] See also para. 101 above.
[848] See also para. 133 above.
[849] See also para. 138 above.

Committee[850] and decided to transmit them for further elaboration to the Commission on Human Rights.

402. Acting on a recommendation submitted by the Commission on Human Rights, the Economic and Social Council adopted resolution 1791 (LIV) of 18 May 1973, by which it endorsed the draft principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity, and recommended that the General Assembly should proclaim the principles.

403. At its twenty-eighth session, in its resolution 3074 (XXVIII) of 3 December 1973, the General Assembly proclaimed the principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.[851]

404. With respect to genocide, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its twenty-fourth session, adopted resolution 7 (XXIV) of 18 August 1971, in which it decided to appoint a Special Rapporteur from among its members to carry out a study on the question of the prevention and punishment of the crime of genocide.

405. At its thirty-first session, the Sub-Commission, by a decision of 13 September 1978, transmitted to the Commission on Human Rights for consideration the report by the Special Rapporteur on the question of the prevention and punishment of the crime of genocide.[852]

**(f) *Rights relating to privacy and to honour and reputation*

(g) *Freedom of movement and residence*

406. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1788 (LIV) of 18 May 1973, by which it expressed its warm appreciation to the Special Rapporteur and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for the *Study of Discrimination in Respect of the Right of Everyone to Leave any Country, Including his Own, and to Return to his Country*[853] and the draft principles on freedom and non-discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country.[854] The Council also expressed the hope that Governments, international and regional intergovernmental organizations, non-governmental organizations and other institutions and bodies concerned would take the texts into account, as well as the relevant provisions of the Universal Declaration of Human Rights, the relevant United Nations decisions and the International Covenant on Civil and Political Rights, when considering legislation and regulations dealing with the question of freedom and non-discrimination in respect of that right. The Council further requested the Secretary-General to bring the draft principles to the attention of the States parties to the International Covenant on Civil and Political Rights at their first meeting, with a view to their transmission to the Human Rights Committee to be established under that Covenant.

(h) *Rights of asylum and related rights*

407. At its twenty-seventh session, the General Assembly, by its resolution 2957 (XXVII) of 12 December 1972, recalled its resolution 2294 (XXII) of 11 December 1967 in which it had decided to review, not later than at its twenty-seventh session, the arrangements for the Office of the United Nations High Commissioner for Refugees with a view to determining whether the Office should be continued beyond 31 December 1973. It recognized the continuing need for international action on behalf of refugees and noted with appreciation the effective manner in which the Office of the High Commissioner had been dealing with special emergencies. It decided to continue the Office for a further period of five years from 1 January 1974 and further decided to review, not later than at its thirty-second session in 1977, the arrangements for the Office with a view to determining whether it should be continued beyond 31 December 1978.

408. At its twenty-ninth session, the General Assembly adopted resolution 3272 (XXIX) of 10 December 1974, in which it decided to establish a Group of Experts on the Draft Convention on Territorial Asylum and requested the Secretary-General, in consultation with the Office of the United Nations High Commissioner for Refugees, to convene the Group of Experts to review the text of the draft Convention. It also requested the Secretary-General to submit a proposal as to when a conference of plenipotentiaries on territorial asylum could be convened.

409. At its thirtieth session, the General Assembly, by its resolution 3456 (XXX) of 9 December 1975, requested the Secretary-General, in consultation with the United Nations High Commissioner for Refugees, to convene a conference of plenipotentiaries on territorial asylum from 10 January to 4 February 1977 to consider and adopt a Convention on Territorial Asylum.

410. At its thirty-second session, the General Assembly adopted resolution 32/68 of 8 December 1977, in which it decided to continue the Office of the United Nations High Commissioner for Refugees for a further period of five years from 1 January 1979. It also decided to review, not later than at its thirty-seventh session in 1982, the arrangements for the Office with a view to determining whether it should be continued beyond 31 December 1983.

(i) *The right to a nationality*

411. At its twenty-ninth session, the General Assembly adopted resolution 3274 (XXIX) of 10 December 1974, in which it recalled the Convention on the Reduction of Statelessness of 30 August 1961,[855] which would come into force on 13 December 1975, and requested the Office of the United Nations High Commissioner for Refugees provisionally to undertake the functions foreseen under articles 11 and 20 after the Convention had come into force.

(j) *Rights relating to marriage and the family*

412. With respect to the status of women, the Economic and Social Council, on the recommendation of the Commission on the Status of Women, adopted resolution 1853 (LVI) of 16 May 1974, by which it recalled article 6 of the Declaration on the Elimination of Discrimination against Women,[856] which provides, inter alia, for the equality of

[850]GA(27), Annexes, agenda item 52, A/8939, para. 7.
[851]See also paras. 110-113 above.
[852]E/CN.4/Sub.2/416.
[853]United Nations publication, Sales No. 64.XIV.2.
[854]Ibid., annex VI.

[855]A/CONF. 9/15, 1961.
[856]GA resolution 2263 (XXII) of 7 November 1967.

men and women in the field of private law, for the exercise by women of their legal capacity on equal terms with men and for the equal rights and responsibilities of husband and wife during marriage. The Council noted that in a number of legal systems, some situations did not conform to that article, and recommended that Member States, where such was not yet the case, should take all the necessary measures to ensure that the legal capacity of married women was equal with that of men, concerning, among others, gainful employment outside the home, the full capacity to administer their property and the revenue of their work, the administration of the joint property of the spouses, the dissolution of marriage and its legal effects. The Council also recommended that, in such cases, Member States should provide adequate remedies, judicial or otherwise, especially mediation, to both spouses to help them solve their disagreements in respect of the questions mentioned above, particular emphasis being put on the necessity of mediation through competent authorities, with the assistance of personnel trained in all aspects of family relations.

413. By its resolution 1942 (LVIII) of 6 May 1975, the Economic and Social Council urged United Nations bodies, Member States and relevant non-governmental organizations to take all appropriate action to ensure the implementation of the recommendations relating to the status of women as stated in the World Population Plan of Action[857] and in resolutions IV, XII and XVII[858] of the World Population Conference and, in particular: to achieve the full participation of women where it did not exist in the life of their countries on an equal basis with men; to achieve equal rights, opportunities and responsibilities of men and women in the family and in society; and to recommend that couples and individuals have access to the information, education and means to enable them to decide freely and responsibly on the number and spacing of their children.

414. In its resolution 2063 (LXII) of 12 May 1977,[859] the Economic and Social Council decided to appoint a Special Rapporteur to prepare a study on the impact of the mass communication media on the changing roles of men and women, including action taken by the public and private sectors at the national, regional and international levels to remove prejudices and sex-role stereotyping, to accelerate the acceptance of women's new and expanded roles in society and to promote their integration into the development process as equal partners with men. The Council also requested the Special Rapporteur to submit a progress report to the Commission on the Status of Women.

415. Acting on a recommendation submitted by the Commission on the Status of Women, the Economic and Social Council adopted resolution 1978/26 of 5 May 1978, in which it welcomed the measures taken by Member States to establish machinery at the national governmental level to monitor the integration of women in development and to participate in measures for policy-making and decision-making in favour of women. It encouraged Member States to take all necessary steps to strengthen such national machinery and to ensure that the opinions and recommendations of such bodies were an integral part of development planning and the implementation of development programmes and projects. It also urged Member States which had not yet taken steps on the matter to do so. It further requested that the national machinery should give particular attention to a review and evaluation of progress at the national level in the programmes for the United Nations Decade for Women, and should identify the obstacles which had prevented the attainment of the national objectives and goals pursued by the national machinery on behalf of women.

416. By its decision 1978/75 of 4 August 1978, the Economic and Social Council requested its President to consult the Director-General of UNESCO on the preparation of the study on the impact of the mass communication media on the changing roles of women and men, in the light of its resolution 2063 (LXII) of 12 May 1977, and to take into account the views expressed on the subject in the Commission on the Status of Women.

417. With respect to persons born out of wedlock, the Economic and Social Council adopted decision 234 (LXII) of 13 May 1977, in which it took note of the work done by the Commission on Human Rights on the question of discrimination against persons born out of wedlock and the draft general principles on equality and non-discrimination against such persons. The Council requested the Secretary-General to transmit the draft general principles[860] to Governments for comments and decided to consider further those principles with a view to their approval.

(k) *The right to own property*

418. In its resolution 2692 (XXV) of 11 December 1970, the General Assembly took note of the report of the Secretary-General entitled "Permanent sovereignty over natural resources".[861] The General Assembly reaffirmed the right of peoples and nations to permanent sovereignty over their natural wealth and resources, which must be exercised in the interest of their national development and of the well-being of the people of the State concerned. It called upon Governments to continue their efforts aimed at the complete implementation of the principles and recommendations contained in its resolutions on the question.

419. By its resolution 1673 D (LII) of 2 June 1972, the Economic and Social Council requested the Secretary-General to undertake, as a matter of priority, a study of the fiscal, commercial, financial, industrial, technological, social, economic and legal aspects of the principle of permanent sovereignty over the natural resources of developing countries.

420. The General Assembly, in its resolution 3016 (XXVII) of 18 December 1972, reaffirmed the right of States to permanent sovereignty over all their natural resources, on land within their international boundaries as well as those found in the seabed and the subsoil thereof within their national jurisdiction and in the superjacent waters. It also reaffirmed its resolution 2625 (XXV) of 24 October 1970, containing the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, which proclaims that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereignty rights and to secure from it advantages of any

[857] E/CONF. 60/19 (United Nations publication, Sales No.: E.75.XIII.3), chap. I, paras. 32, 41, 42, 43 and 78.
[858] *Ibid.*, chap. II.
[859] See also ESC decision 1978/79.
[860] E/5927, para. 212.
[861] A/8058.

kind. At the same time, the General Assembly called upon the Governments to continue their efforts aimed at the implementation of the principles and recommendations contained in its earlier resolutions on the matter, took note of the new report of the Secretary-General on permanent sovereignty over natural resources[862] and requested him to supplement the report with a further detailed study on recent developments.

421. By its resolution 1737 (LIV) of 4 May 1973, the Economic and Social Council recalled earlier resolutions on the matter and urged the international financial organizations and the United Nations Development Programme to provide, in accordance with the priorities established in national development plans, all possible financial and technical assistance to developing countries at their request for the purpose of establishing, strengthening and supporting, as appropriate, national institutions to ensure the full utilization and control of their natural resources. The Council also requested the Secretary-General to complete the study of the political, economic, social and legal aspects of the principle of permanent sovereignty over natural resources referred to in its resolution 1673 D (LII) of 2 June 1972, and to include therein the aspects of the permanent sovereignty of States over their natural resources of the seabed and the subsoil thereof within the limits of national jurisdiction and in the superjacent waters.

422. The General Assembly, in its resolution 3171 (XXVIII) of 17 December 1973, recalled earlier resolutions relating to permanent sovereignty over natural resources, and affirmed that the application of the principle of nationalization carried out by States, as an expression of their sovereignty in order to safeguard their natural resources, implied that each State was entitled to determine the amount of possible compensation and the mode of payment, and that any disputes which might arise should be settled in accordance with the national legislation of each State carrying out such measures. The General Assembly also deplored acts of States which used force, armed aggression, economic coercion or any other illegal or improper means in resolving disputes concerning the exercise of the sovereign rights over natural resources. It further recognized that one of the most effective ways in which the developing countries could protect their natural resources was to establish, promote or strengthen machinery for cooperation among them which had as its main purpose to coordinate pricing policies, to improve conditions of access to markets and to coordinate production policies.

423. The Economic and Social Council, in its resolution 1956 (LIX) of 25 July 1975, recalled the pertinent provisions of the Declaration and the Programme of Action on the Establishment of a New International Economic Order[863] and of the Charter of Economic Rights and Duties of States.[864] The Council strongly reaffirmed the inalienable right of States to exercise full permanent sovereignty over all their wealth, natural resources and economic activities. It also reaffirmed the right of all States to associate in organizations of primary commodity producers. It considered that it was indispensable for States to regulate and supervise the activities of transnational corporations within their national jurisdiction and to take measures to ensure that such activities complied with their laws, rules and regulations and conformed with their economic and social policies. It requested the Secretary-General to update his recent reports on the subject.[865]

424. By its resolution 2120 (LXIII) of 4 August 1977, the Economic and Social Council took note of the report of the Secretary-General on permanent sovereignty over natural resources,[866] and requested him to prepare, for the Committee on Natural Resources at its regular sessions, progress reports providing detailed information on pertinent aspects of and relevant developments concerning the exercise by developing countries and peoples of their inalienable rights and of permanent sovereignty over their natural resources.

425. With respect to permanent sovereignty over national resources in the occupied Arab territories, the General Assembly, in its resolution 3005 (XXVII) of 15 December 1972, affirmed the principle of the sovereignty of the (Arab) population of the occupied territories over their national wealth and resources,[867] and called upon all States, international organizations and specialized agencies not to recognize or cooperate with, or assist in any manner in, any measures undertaken by the occupying Power to exploit the resources of the occupied territories or to effect any changes in the demographic composition or geographic character or institutional structure of those territories.[868]

426. By its resolutions 3175 (XXVIII) of 17 December 1973 and 3336 (XXIX) of 17 December 1974, the General Assembly reaffirmed that all measures undertaken by Israel to exploit the human and natural resources of the occupied Arab territories were illegal, and called upon Israel to halt such measures forthwith. It also affirmed the right of the Arab States and peoples whose territories were under Israeli occupation to the restitution of, and full compensation for the exploitation and looting of, and damages to, the natural resources, as well as the exploitation and manipulation of the human resources of those territories. It declared that the above principles applied to all States, territories and peoples under foreign occupation, colonial rule or apartheid. The General Assembly, in its resolution 3336 (XXIX), further requested the Secretary-General to prepare a report on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories.

427. In its resolution 32/161 of 19 December 1977 entitled "Permanent sovereignty over national resources in the occupied Arab territories", the General Assembly took note of the report of the Secretary-General on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories.[869] The Assembly noted that, owing to the time constraint, incomplete coverage and technical and other limitations, the report did not cover all pertinent losses.[870] It emphasized the right of the Arab States and peoples whose territories were under Israeli occupation to full and effective permanent sovereignty and control over

[862] E/5170.
[863] GA resolutions 3201 (S-VI) and 3202 (S-VI).
[864] GA resolution 3281 (XXIX).
[865] A/9716 and Corr. 1, E/5425 and Corr. 1, E/5425/Add. 1 and E/5549.
[866] E/C. 7/66.
[867] GA resolution 3005 (XXVII), para. 4.
[868] Ibid., para. 5.
[869] A/32/204.
[870] GA resolution 32/161, para. 2.

their natural and all other resources, wealth and economic activities. It reaffirmed that all measures undertaken by Israel were illegal, and called upon Israel immediately to desist forthwith from all such measures. It also reaffirmed the right of the Arab States and peoples to restitution and full compensation and called upon Israel to meet their just claims. The Assembly further called upon all States, international organizations, specialized agencies, investment corporations and all other institutions to support and assist the Arab States and peoples in the exercise of their rights, as well as not to recognize, cooperate with or assist in any manner in any measures undertaken by Israel to exploit the resources of the occupied territories or to effect any changes in the demographic composition or geographic character or institutional structure of those territories.

(l) *Freedom of thought, conscience and religion*

428. With respect to religious intolerance, the General Assembly, at its twenty-seventh session, adopted resolution 3027 (XXVII) of 18 December 1972, in which it decided to accord priority to the completion of the Declaration on the Elimination of All Forms of Religious Intolerance before resuming consideration of the International Convention on the subject, with a view to the adoption, if possible, of such a Declaration as part of the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights.

429. At its twenty-eighth session, the General Assembly adopted resolution 3069 (XXVIII) of 30 November 1973, in which it invited the Economic and Social Council to request the Commission on Human Rights to consider, as a matter of priority, the elaboration of a draft Declaration on the Elimination of All Forms of Religious Intolerance.

430. By its decision 7 (XXXII) of 5 March 1976, the Commission on Human Rights decided to establish an open-ended working group on the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.[871]

431. In its resolutions 31/138 of 16 December 1976, 32/143 of 16 December 1977 and 33/106 of 16 December 1978, the General Assembly noted that the Commission on Human Rights had not as yet completed the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and requested the Commission to give that matter the priority necessary to finalize the draft Declaration.

432. With respect to conscientious objection to military service, the Commission on Human Rights considered the question at its twenty-seventh session. In its resolution 11 B (XXVII) of 22 March 1971, the Commission requested the Secretary-General to make available to it the information on conscientious objection to military service included in the country monographs which were prepared in connection with the *Study of Discrimination in the Matter of Religious Rights and Practices*.[872] The Commission also decided to study the question when the report of the Secretary-General became available for consideration.

433. At its thirty-third session, the General Assembly adopted resolution 33/165 of 20 December 1978 on the status of persons refusing service in military or police forces to enforce apartheid. In the resolution, the Assembly recognized the right of all persons to refuse service in those forces and called upon Member States to grant asylum or safe transit to another State, in the spirit of the Declaration on Territorial Asylum,[873] to persons compelled to leave their country of nationality solely because of a conscientious objection to assisting in the enforcement of apartheid through service in military or police forces. It also called upon United Nations bodies and non-governmental organizations to provide all necessary assistance to such persons.

(m) *Freedom of opinion and expression*

434. In a number of resolutions and decisions,[874] the General Assembly decided to postpone until its next session consideration of the draft Convention on Freedom of Information.

435. With respect to the protection of journalists, the General Assembly, at its twenty-fifth session, adopted resolution 2673 (XXV) of 9 December 1970, in which it considered that it was essential for the United Nations to obtain complete information concerning armed conflicts and that journalists had an important role to play in that regard. The Assembly noted that journalists engaged in missions in areas where an armed conflict was taking place sometimes suffered as a result of their professional duty, which was to inform world public opinion objectively. It invited the Economic and Social Council to request the Commission on Human Rights to consider the possibility of preparing a draft international agreement ensuring the protection of journalists engaged in dangerous missions and providing, inter alia, for the creation of a universally recognized and guaranteed identification document. The Assembly also invited the Commission on Human Rights to consider the question of the protection of journalists as a matter of priority in order that a draft international agreement might be adopted as soon as possible.

436. In its resolution 15 (XXVII) of 24 March 1971, the Commission on Human Rights considered that it had not had sufficient time to examine in detail the preliminary draft international convention on the protection of journalists engaged in dangerous missions.[875] The Commission recommended that the Economic and Social Council consider and transmit to the General Assembly the preliminary draft convention. It also requested the Secretary-General to transmit the preliminary draft convention to the Intergovernmental Conference of Experts of the International Committee of the Red Cross to be held in May 1971 for observations to the General Assembly. The Commission further requested the Secretary-General to establish a group of not more than seven experts for the purpose, inter alia, of submitting to the General Assembly its conclusions and recommendations, together with a draft protocol annexed to the draft convention prescribing the composition, duties and methods of work of an international professional committee for the protection of journalists engaged in dangerous missions, as envisaged in article 3 of the draft convention.

437. By its resolution 1597 (L) of 21 May 1971, the Economic and Social Council decided to transmit to the General Assembly the preliminary draft international conven-

[871] See also Commission resolutions 11 (XXXIII) and 22 (XXXIV).

[872] United Nations publication, Sales No.: 60.XIV.2.

[873] GA resolution 2312 (XXII).

[874] See, for example, GA resolutions 2722 (XXV) and 2844 (XXVI), and GA decisions 31/415, 32/436 and 33/425.

[875] E/CN.4/L. 1149/Rev. 1.

tion on the protection of journalists engaged in dangerous missions.

438. At its twenty-sixth session, the General Assembly, in its resolution 2854 (XXVI) of 20 December 1971, invited the Economic and Social Council to request the Commission on Human Rights to reconsider as a matter of priority the preliminary draft convention on the protection of journalists engaged in dangerous missions contained in Council resolution 1597 (L) of 21 May 1971, as well as all relevant documents including the draft protocol[876] prepared by the Working Group in accordance with Commission resolution 15 (XXVII) of 24 March 1971. The General Assembly also requested the Commission to transmit a report to the Conference of Governmental Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts at its second session, to be convened in 1972 by the International Committee of the Red Cross.

439. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1690 (LII) of 2 June 1972, by which it transmitted to the General Assembly as a basis for further work the draft articles of the International Convention on the Protection of Journalists Engaged in Dangerous Professional Missions in Areas of Armed Conflict, as approved by the Commission on Human Rights.

(n) *Freedom of peaceful assembly and association*

440. At its thirty-third session, in its resolution 33/169 of 20 December 1978, the General Assembly recalled in particular article 20 of the Universal Declaration of Human Rights, which provides that everyone has the right to freedom of peaceful assembly and association, reaffirmed the importance of protecting that right as an essential prerequisite for the conduct of any trade union activities, and recommended that special attention should be paid to the violations of that right consisting of the arrest, detention or exile of persons who had engaged in trade union activities consistent with the principles of freedom of association. At the same time, the General Assembly requested Member States to release or take effective measures to safeguard and protect the human rights and fundamental freedoms of trade union leaders who had been detained or imprisoned.

(o) *The right to take part in the Government, the right to access to public service and rights relating to the will of the people*

441. On the recommendation of the Economic and Social Council, the General Assembly adopted in its resolution 2716 (XXV) of 15 December 1970 the Programme of Concerted International Action for the Advancement of Women. In that resolution, the General Assembly expressed the belief that a programme which had objectives for women relating to administration and public life at the local, national and international levels would advance the status of women and increase their effective participation in all sectors. The General Assembly recommended that the objectives and targets set forth in the Programme should be achieved as widely as possible during the Second United Nations Development Decade.

[876] A/8438, annex.

(iii) *Economic, social and cultural rights*

442. On the recommendation of the Commission on Human Rights, the Economic and Social Council, at its fifty-sixth session, adopted resolution 1867 (LVI) of 17 May 1974, in which it expressed its appreciation to the Special Rapporteur for his comprehensive and useful report on the question of the realization of economic, social and cultural rights, and the study of special problems relating to human rights in developing countries.[877] The Council drew the attention of all States and organizations of the United Nations system and other intergovernmental organizations to the report and, in particular, to the revised observations, conclusions and recommendations of the Special Rapporteur, with a view to more intensive efforts being undertaken at the national, regional and international levels on the formulation of standards, norms and indicators as instruments of developmental policy and planning, and on ways of measuring the realization of economic, social and cultural rights. The Council also invited States and specialized agencies to submit in-depth periodic reports on the realization and enjoyment of economic, social and cultural rights to enable the Secretary-General to submit them to the Ad Hoc Committee on Periodic Reports of the Commission on Human Rights.

443. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted decision 229 (LXII) of 13 May 1977, in which it invited the Secretary-General, in cooperation with UNESCO and the other competent specialized agencies, to undertake a study on the subject of the international dimensions of the right to development as a human right in relation to other human rights based on international cooperation, including the right to peace, taking into account the requirements of the new international economic order and fundamental human needs, and to make the study available for consideration by the Commission on Human Rights.

(a) *International Covenant on Economic, Social and Cultural Rights*

444. By its resolution 1988 (LX) of 11 May 1976, the Economic and Social Council welcomed the entry into force on 3 January 1976 of the International Covenant on Economic, Social and Cultural Rights.[878] The Council established, in accordance with article 17 of the Covenant, a programme under which the States parties to the Covenant would furnish in biennial stages the reports referred to in article 16 thereof: first stage, rights covered by articles 6 to 9; second stage, rights covered by articles 10 to 12; third stage, rights covered by articles 13 to 15. It invited the States parties to submit to the Secretary-General in accordance with the above programme reports on the measures that they had adopted and the progress they had made in achieving the observance of the rights recognized in the Covenant and to indicate, when necessary, factors and difficulties affecting the degree of fulfilment of their obligations under the Covenant. It called upon the specialized agencies to submit to the Council reports on the progress made in achieving the observance of the provisions of the Covenant falling within the scope of their activities, reports which might include particulars of decisions and recommendations on such implementation adopted by their

[877] E/CN.4/1108 and Add. 1-10 and E/CN.4/1131 and Corr. 1.
[878] GA resolution 2200 A (XXI).

competent organs. In the same resolution, the Council decided that States parties which submitted reports under the Covenant need not submit reports on similar questions under the reporting procedure established under its resolution 1074 C (XXXIX) of 28 July 1965. The Council also requested the Secretary-General to draw up general guidelines for the reports. It further decided that a sessional working group of the Council, with appropriate representation of States parties to the Covenant, and with due regard to equitable geographical distribution, should be established whenever reports were due for consideration by the Council, for the purpose of assisting the Council in that consideration.

445. The General Assembly, in its resolution 31/86 of 13 December 1976, welcomed the entry into force of the International Covenant on Economic, Social and Cultural Rights, and endorsed Council resolution 1988 (LX) of 11 May 1976.

446. By its resolutions 32/66 of 8 December 1977 and 33/51 of 14 December 1978, the General Assembly once again invited all States which had not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights, and expressed the hope[879] that the consideration of reports submitted under the provisions of the Covenant would be undertaken by the Economic and Social Council without further delay.

447. In its decision 1978/10 of 3 May 1978, the Economic and Social Council established, in accordance with its resolution 1988 (LX) of 11 May 1976, a sessional working group on the implementation of the International Covenant on Economic, Social and Cultural Rights, composed of 15 members of the Council which were also States parties to the Covenant, and requested the working group to prepare for its consideration recommendations on the group's methods of work in connection with the reports of States parties to the Covenant.

(b) *Rights relating to work*

448. With respect to women's employment, the Economic and Social Council, on the recommendation of the Commission on the Status of Women, adopted resolution 1513 (XLVIII) of 28 May 1970, in which it drew attention to the conclusions of the European Seminar on the repercussions of scientific and technological progress on the status of women workers, held at Iasi, Romania, in 1969. The Council requested States Members of the United Nations as well as the Secretary-General and the specialized agencies concerned, in particular the International Labour Organization, to continue to study the repercussions of scientific and technological progress on the conditions of work and employment of women. The Council also requested the International Labour Organization to continue its review of international conventions from the point of view of changes that had occurred as a result of scientific and technological progress.

449. At its twenty-fifth session, the General Assembly, acting on the recommendation of the Economic and Social Council, adopted resolution 2715 (XXV) of 15 December 1970, in which it urged the United Nations, including its special bodies and all intergovernmental agencies in the United Nations system of organizations, to take or continue to take appropriate measures to ensure equal opportunities for the employment of qualified women in senior and other professional positions.

450. At the same session, in its resolution 2716 (XXV) of 15 December 1970 entitled "Programme of concerted international action for the advancement of women", adopted on the recommendation of the Economic and Social Council, the General Assembly proposed minimum targets to be achieved during the Second United Nations Development Decade, including objectives relating to the employment of women.

451. At its twenty-seventh session, by its resolution 3009 (XXVII) of 18 December 1972, adopted on the recommendation of the Economic and Social Council and the Commission on the Status of Women, the General Assembly noted that the reports of the Secretary-General on the composition of the Secretariat which had been submitted to it included data on the employment of women.[880] The Assembly also noted the appointment by the Secretary-General of a woman to the rank of Assistant Secretary-General and hoped that more women would be appointed to high-level positions in the United Nations Secretariat. It requested the Secretary-General to include in his annual report on the composition of the Secretariat more comprehensive data on the employment of women in the secretariats of the organizations of the United Nations system. It once again urged those organizations to take or continue to take appropriate measures in order to ensure equal opportunities for the employment of qualified women at the senior and professional levels and in policy-making positions. It further called upon Member States to give full consideration to submitting the candidatures of qualified women for all positions, particularly at the policy-making level.

452. The General Assembly dealt with the question of the employment of women by the secretariats of organizations within the United Nations system also in its resolutions 3352 (XXIX) of 18 December 1974 and 3416 (XXX) of 8 December 1975.

453. With respect to the employment of young people, the General Assembly, at its twenty-seventh session, adopted resolution 3024 (XXVII) of 18 December 1972, in which it noted the report of the Secretary-General on channels of communication with youth and international youth organizations.[881] It also noted the reference made in the report to the need to open up the Organization to young people and to ensure their participation in the planning, implementation and evaluation of United Nations policies and programmes. It endorsed the recommendation of the Secretary-General that the guidelines for the recruitment of young staff members to the United Nations Secretariat should be fully implemented.[882] In the same resolution, the General Assembly requested the Secretary-General to effectively broaden, by all available means, the base of employment for qualified youth, with equitable geographical distribution, and to take into account the need to secure the highest standards of efficiency, competence and integrity. It further requested the Secretary-General to submit a progress report on the extent of increased employment and mobility of young people in the United Nations.[883]

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[879]Especially in GA resolution 33/51.

[880]See A/8483 and A/8831 and Corr. 1 and Add. 1.

[881]A/8743.

[882]Ibid., para. 39 (d).

[883]See also E S C resolution 2078 (LXII).

454. With respect to trade union rights, the Economic and Social Council, in its resolution 1509 (XLVIII) of 28 May 1970, condemned the continuing suppression of trade union rights in southern Africa and called for an end to that suppression and the immediate and unconditional release of all persons imprisoned for their trade union activities. The Council also authorized the Ad Hoc Working Group of Experts on the allegations regarding infringements of trade union rights, in cooperation with the International Labour Organization, other concerned specialized agencies and the major international trade union organizations, to investigate the conditions of African producers of primary products in the Portuguese colonies in Africa, of the sector of unorganized labour such as farm labour in the Portuguese colonies in Africa and of workers from Mozambique and Angola who were or had been employed in South Africa, Namibia and Southern Rhodesia.

455. The Economic and Social Council also dealt with the question of allegations regarding infringements of trade union rights: (a) in southern Africa by its resolutions 1599 (L) of 21 May 1971, 1796 (LIV) of 18 May 1973, 1997 (LX) of 12 May 1976, 2086 (LXII) of 13 May 1977, 1978/21 of 5 May 1978, and by its decisions 18 (LVI) of 17 May 1974, 25 (LVII) of 31 July 1974, 84 (LVIII) of 6 May 1975, and 236 and 237 (LXII) of 13 May 1977; (b) in the Bahamas by its decisions 85 (LVIII) of 6 May 1975, 150 (LX) of 12 May 1976 and 235 (LXII) of 13 May 1977; (c) in Bahrain by its decisions 56 (LVII) of 5 December 1974, 85 (LVIII) of 6 May 1975 and 238 (LXII) of 13 May 1977; (d) in Lesotho by its resolution 1996 (LX) of 12 May 1976; and (e) in Puerto Rico (United States of America) by its decision 1978/41 of 21 July 1978.

456. With respect to migrant workers, the Economic and Social Council, in its resolution 1749 (LIV) of 16 May 1973, noted that the Conference of European Ministers Responsible for Social Welfare held at The Hague in 1972,[884] and the United Nations Interregional Seminar on Industrial Social Welfare held at Moscow in 1971,[885] had given due and positive consideration to the situation of migrant workers. The Council affirmed that labour migration all over the world had acquired a magnitude that urgently called for specific examination and action by the United Nations, in an interrelated manner and in relation with general factors, including economic, political, social and cultural factors and the requirements of respect for human rights and human dignity. The Council invited the Governments of emigration and immigration countries to give due attention to the situation of migrant workers and their families, and to ensure them, inter alia, the protection of social security and assistance schemes, appropriate housing, their ethnic integrity and cultural inheritance, protection from large-scale dismissal, as well as comprehensive measures for their training. The Council also decided to include the question in its agenda and to invite the Secretary-General to submit to the Commission for Social Development a supplementary report on the welfare of migrant workers and their families with particular attention to the educational needs of their children.

457. By its resolution 1926 A (LVIII) of 6 May 1975, the Economic and Social Council expressed its general agreement with the proposals contained in the report of the Secretary-General[886] for strengthening programmes designed to improve the welfare of migrant workers. The Council emphasized that such programmes should give major attention to the needs of the families of migrant workers, particularly in the field of housing, education, social security, health services, information and the reunion of close relatives, as well as supporting their cultural heritage and ties with their country of origin. It also reaffirmed the need for a full implementation of the basic principle of equal treatment for migrants, such a need being all the more relevant given the difficult employment situation experienced by various countries. It further requested the Secretary-General to prepare a document incorporating principles concerning migrant workers and their families which were already embodied in international instruments adopted by the United Nations organizations, and to submit thedocument to the Commission for Social Development in order to enable it to make an assessment of the main principles applicable in that matter and to make necessary recommendations.

458. The General Assembly, in its resolution 31/127 of 16 December 1976,[887] recalled earlier resolutions of the Economic and Social Council, and called upon all States to give consideration to ratifying the Migrant Workers (Supplementary Provisions) Convention, 1975, adopted by the International Labour Organization. It also recommended that the Commission on Human Rights and the Economic and Social Council should consider the question of migrant workers on the basis, inter alia, of the study by the Special Rapporteur on the exploitation of labour through illicit and clandestine trafficking[888] and the report of the Seminar on the Human Rights of Migrant Workers, held at Tunis in 1975.[889]

459. By its resolution 32/120 of 16 December 1977, the General Assembly recommended that the Commission on Human Rights and the Economic and Social Council should consider the measures to improve the situation and ensure the human rights and dignity of all migrant workers fully and in depth, on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies.

460. In its resolution 21 B (XXXIV) of 8 March 1978, the Commission on Human Rights requested the Secretary-General to prepare a consolidated report on the work done by the non-governmental organizations concerned in the field of the human rights of migrant workers, in order to enable it to undertake the full in-depth study recommended by the General Assembly in its resolution 32/120 of 16 December 1977. The Commission also recommended that the Economic and Social Council should authorize a meeting of an open-ended working group, for at most three days, in order to analyse the substance of the Secretary-General's report and to submit specific proposals to the Commission.

461. In its resolution 1978/22 of 5 May 1978, the Economic and Social Council requested the Secretary-General to prepare the report recommended by the Commission on Human Rights in its resolution 21 B (XXXIV) of 8 March 1978 and to communicate it to Member States. The Council also decided that a working group open to all States

[884]See E/CN.5/479.
[885]See E/CN.5/484.

[886]E/CN.5/515 and Corr. 1 and 2.
[887]See also GA resolution 32/120.
[888]E/CN.4/Sub.2/L.640. See also paras. 290-291 above.
[889]ST/TAO/HR/50.

Members of the United Nations should meet at Geneva for not more than one week at the end of December 1978 to formulate specific proposals to be submitted to the Commission when it began to consider fully and in depth the question of migrant workers, in the light of other appropriate recommendations which the General Assembly might transmit to it on the subject.

462. The General Assembly, by its resolution 33/163 of 20 December 1978, recalled its resolution 32/120 of 16 December 1977 and requested the Secretary-General to explore with Member States and in cooperation with the United Nations agencies, particularly the International Labour Organization, the possibility of drawing up an international convention on the rights of migrant workers. At the same session, the General Assembly adopted a separate resolution, 33/162 of 20 December 1978, on migratory labour in southern Africa. In the resolution, the Assembly endorsed the Charter of Rights for Migrant Workers in Southern Africa as adopted by the Lusaka Conference on Migratory Labour in Southern Africa on 7 April 1978 and annexed to that resolution. It also urged all Member States and all organizations concerned to extend to the African States affected by the migration of labour to South Africa all material, financial, technical and political support to enable them to utilize fully their available labour force for the development of their own economies and thereby eliminate the necessity to export such labour to the apartheid economy of South Africa.

463. With respect to the exploitation of labour through illicit and clandestine trafficking, the Economic and Social Council, by its resolution 1706 (LIII) of 28 July 1972, noted with alarm and indignation reports of incidents involving the illegal transportation, organized or undertaken by criminal elements, to some European countries and the exploitation of workers from some African countries in conditions akin to slavery and forced labour. It condemned the exploitation of, and profiteering from, such labour and clandestine trafficking as exemplified by the incidents brought to its attention. It appealed to Governments concerned to take all necessary action or to intensify their efforts to apprehend and bring to justice those responsible for such malpractices. It also took note of the steps taken by the International Labour Organization to reinforce its action for the protection of migrant workers and invited it to pursue energetically its examination of the matter. It further instructed the Commission on Human Rights to consider the question and to prepare appropriate recommendations for further action.

464. In its resolution 2920 (XXVII) of 15 November 1972, entitled "Exploitation of labour through illicit and clandestine trafficking", the General Assembly endorsed the provisions and recommendations of Economic and Social Council resolution 1706 (LIII) of 28 July 1972 and urged the Governments which had not yet done so to give high priority to the ratification of the Convention of the International Labour Organization regarding Migration for Employment (Revised 1949), in the context of their efforts to eliminate illicit trafficking in foreign labour.

465. At its twenty-sixth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 6 (XXVI) of 19 September 1973, entrusted a Special Rapporteur with the task of preparing, in cooperation with the Secretariat, a study on the question of the exploitation of labour through illicit and clandestine trafficking.

466. At its twenty-ninth session, the Sub-Commission, in its decision of 31 August 1976, took note of the reports submitted by its Special Rapporteur for the study on the exploitation of labour through illicit and clandestine trafficking and of the draft recommendations annexed thereto,[890] and decided to transmit the reports to the Commission on Human Rights. It also decided to draw the attention of the Commission to the report of the United Nations Seminar on the Human Rights of Migrant Workers, held at Tunis in 1975.[891]

467. By its resolution 12 (XXXIII) of 11 March 1977, the Commission on Human Rights recommended that the Economic and Social Council consider the question of the exploitation of labour through illicit and clandestine trafficking, taking into account the existing international instruments, as well as related studies and reports on the subject.

468. The Declaration on the Rights of Disabled Persons of 1975 provides that disabled persons have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions.[892]

(c) *Rights relating to the standard of living and social security*

469. With respect to social progress and development, the Economic and Social Council, in its resolution 1581 C (L) of 21 May 1971, recalled the Declaration on Social Progress and Development[893] which, inter alia, aims at the continuous raising of the material and spiritual standards of living of all members of society, with respect for and in compliance with human rights and fundamental freedoms. The Council recommended that Member States pursue a unified approach to development and improvement in the quality of life, thus manifesting their belief that social and economic objectives were inseparable. It also recommended that Member States seek to improve the collection of data, analysis and reporting in the social field and undertake a continuing examination of development policies and programmes with a view to enhancing social progress. At the same time, the Council decided that the *1970 Report on the World Social Situation* should serve as a guide for the Second United Nations Development Decade and should be updated periodically for purposes of review and appraisal of social progress during the Decade, while the *1974 Report* should serve as a major assessment at mid-decade and provide an opportunity for modifying objectives in view of changing circumstances.

470. The Economic and Social Council, in its resolution 1667 (LII) of 1 June 1972, attached great importance to appropriate fundamental structural socio-economic changes in countries for the purpose of achieving social progress and development and, to that end, requested the Secretary-General to prepare a comprehensive report on the experience of various countries of the world in the field.

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[890] E/CN.4/Sub.2/L.640.
[891] ST/TAO/HR/50.
[892] See also para. 132 above.
[893] GA resolution 2542 (XXIV).

471. By its resolution 1746 (LIV) of 16 May 1973, the Economic and Social Council pointed out that the strengthening of national independence and the achievement of the ultimate goals of social progress depended fundamentally on internal basic social changes for the purposes of strengthening national independence, achieving the democratization of society and improving social and economic structures, and on the reaffirmation of the principle of the inadmissibility of external interference in any form, including interference by multinational corporations. The Council recommended that the Secretary-General, in consultation with the United Nations Research Institute for Social Development, should continue the study of national experience in carrying out far-reaching social and economic changes for the purpose of social progress, and include it in the programme of work of the Commission for Social Development.

472. At its twenty-ninth session, the General Assembly adopted resolution 3273 (XXIX) of 10 December 1974, in which it noted the report of the Secretary-General[894] on national experience in achieving far-reaching social and economic changes for the purpose of social progress. The Assembly reaffirmed a number of rights of States aiming at safeguarding national independence and ensuring a speedy improvement of the well-being of the population, including the right of every State to carry out social and economic changes for the purpose of social progress, such as the right of nationalization, as well as the right to take all appropriate measures in connection with the activities of transnational corporations, which the General Assembly considered detrimental to the achievement of economic and social progress. It also recommended that measures should be taken at all levels to ensure more active participation by the entire population in the preparation and execution of economic and social development policies and programmes designed to achieve social and economic progress. It requested the Secretary-General and the United Nations Development Programme to hold, within the programme of advisory services, interregional and regional seminars to study the national experience of developing and developed countries in carrying out far-reaching social and economic changes for the purpose of social progress. It further recommended that the regional commissions should consider that problem at their sessions, and requested the Secretary-General to submit a comprehensive report on the matter.[895]

473. At its thirty-second session, the General Assembly adopted resolution 32/117 of 16 December 1977, in which it recalled that 1979 would mark the tenth anniversary of the adoption of the Declaration on Social Progress and Development, and urged all Governments to take due account of their ultimate responsibility of ensuring the social progress and well-being of their people, inter alia, by adhering to the principles espoused in the Declaration. The Assembly also recommended that international organizations and agencies concerned with development should continue to consider the Declaration as an important document in the formulation of strategies and programmes designed to achieve social progress and development. It further requested the Secretary-General to prepare and submit to it, through the Commission for Social Development and the Economic and Social Council, a comprehensive report, in lieu of an annex to the *1978 Report on the World Social Situation*, on the implementation of the Declaration during the period 1969-1979 by Governments, international organizations and agencies concerned with development.

474. With respect to the aged and social security, the Economic and Social Council, in its resolution 1751 (LIV) of 16 May 1973, took note of the reports of the Secretary-General, particularly the one on the United Nations Interregional Seminar on Industrial Social Welfare.[896] The Council recalled the Declaration on Social Progress and Development, affirmed the important role of Governments in developing effective social security programmes through concerted efforts of national and local authorities, and called upon them to assume responsibility for guiding and planning social security in all sectors along with the development of legislation in that field.[897] The Council also called for the participation of the whole community, including the trade unions, in that field as well as in the improvement of the general well-being of the population.[898] It further requested the Commission for Social Development to include in its work programme for 1974-1977 questions relating to the place of social security in the system of social and economic planning and development and, in that connection, requested the Secretary-General to consult with the International Labour Organization regarding the preparation of a comparative study of social security systems, social security planning, and the role and responsibility of the State in the matter. The General Assembly, by its resolution 3138 (XXVIII) of 14 December 1973, endorsed Economic and Social Council resolution 1751 (LIV).

475. At its thirty-second session, the General Assembly, in its resolution 32/131 of 16 December 1977, took note of the report of the Secretary-General on the question of the elderly and the aged[899] and recommended that the Governments concerned, in formulating their national policies and programmes, should take into account the recommendations contained in its earlier resolutions and consider developing, as required and in accordance with their national priorities, policies and programmes for the welfare, including housing and social services, health, humanitarian well-being and economic security, of older people as well as measures aimed at maximizing their economic independence and their social integration into society, especially older people living in slums and uncontrolled settlements. The Assembly also requested the Secretary-General to continue and expand activities in the field, in cooperation with the agencies concerned.

476. At the same session, in its resolution 32/132 of 16 December 1977, the General Assembly invited all States to make known their views to the Secretary-General by 1 July 1978 concerning the usefulness of proclaiming an international year on ageing and the desirability of convening a world assembly on ageing, in order to call worldwide attention to the problems affecting the elderly as well as to permit national leaders and government specialists to exchange experiences, explore solutions and devise programmes for amelioration of the problems unique to

[894]E/CN.5/478 and Add. 1-4.
[895]See also GA resolution 31/38.

[896]E/CN.5/484.
[897]E S C resolution 1751 (LIV), para. 2.
[898]Ibid., para. 4.
[899]A/32/130 and Corr. 1.

that growing portion of the populations of the world. The General Assembly also requested the Secretary-General to prepare a report on those views of Member States, including appropriate proposals on ways in which either or both of those undertakings might be carried out.

477. At its thirty-third session, the General Assembly adopted resolution 33/52 of 14 December 1978, in which it decided to organize, in consultation with Member States, specialized agencies and organizations concerned, a World Assembly on the Elderly in 1982, as a forum to launch an international action programme aimed at guaranteeing economic and social security to older persons, as well as opportunities to contribute to national development. It also decided to consider at a later stage the feasibility of observing an international year of the elderly. It further requested the Secretary-General to elaborate, in consultation with Member States, the specialized agencies and organizations concerned, and to submit to it through the Economic and Social Council, a draft programme for the World Assembly and to make recommendations on the organization and objectives of the Assembly.

478. With respect to the issue of food problems, the General Assembly, at its twenty-eighth session, adopted resolution 3180 (XXVIII) of 17 December 1973, in which it decided to convene a World Food Conference under the auspices of the United Nations for approximately two weeks in November 1974 in Rome, with the principal task of developing ways and means whereby the international community as a whole could take specific action to resolve the world food problem within the broader context of development and international economic cooperation. The General Assembly also entrusted the Economic and Social Council with overall responsibility for the Conference, and invited all the competent organizations of the United Nations system to collaborate closely in the organization of that Conference.

479. At its twenty-ninth session, the General Assembly, by its resolution 3348 (XXIX) of 17 December 1974, took note with satisfaction of the report of the World Food Conference held at Rome from 5 to 16 November 1974.[900] The Assembly endorsed the Universal Declaration on the Eradication of Hunger and Malnutrition[901] and the resolutions adopted at the Conference on 16 November 1974.[902] It called upon Governments to take urgent action to implement the resolutions of the Conference and to achieve the goals established therein. It requested the Secretary-General, the executive heads of its subsidiary organs and of the specialized agencies and all the organizations of the United Nations system to take expeditious action in line with the resolutions adopted at the Conference. At the same time, the General Assembly established a World Food Council having the purposes, functions and mode of operation set forth in resolution XXII adopted by the Conference. It requested the Economic and Social Council to nominate the members of the World Food Council and decided to review actions taken to resolve the world food problem as a result of the World Food Conference. It further requested the Secretary-General to convene urgently a meeting of all interested countries to work out the details of an International Fund for Agricultural Development as envisaged in resolution XIII of the Conference.

[900]United Nations publication, Sales No.: E.75.II.A.3.
[901]Ibid., chap. IV. See also paras. 114-120 above.
[902]Ibid., chap. V.

480. The Economic and Social Council, in its resolution 1969 (LIX) of 30 July 1975, entitled "Food problems", took note of the report of the World Food Council on its first session[903] and transmitted it to the General Assembly. The Council expressed concern at the fact that the target of 10 million tons of food grains accepted as the minimum target by the World Food Conference in its resolution XVIII had not so far been attained. It appealed to all countries to contribute to the attainment of that target and urged the early establishment of the International Fund for Agricultural Development, in pursuance of resolution XIII of the World Food Conference.

481. At its thirtieth session, the General Assembly, in its resolution 3503 (XXX) of 15 December 1975, noted the progress made by the Meeting of Interested Countries on the Establishment of an International Fund for Agricultural Development,[904] convened by the Secretary-General, in advancing the proposals made by the World Food Conference in its resolution XIII. It requested the Secretary-General to make all necessary preparations for and to convene in Rome, as soon as possible after the Meeting of Interested Countries had indicated to him that it had completed the preparation work, a conference of plenipotentiaries on the establishment of an International Fund for Agricultural Development.

482. The Economic and Social Council, in its resolution 2104 (LXIII) of 3 August 1977, recommended to the General Assembly that it should approve the text of the draft agreement prepared by the Council Committee on Negotiations with Intergovernmental Agencies and the Preparatory Commission for the International Fund for Agricultural Development for the purpose of bringing the Fund into relationship with the United Nations.[905]

483. By its resolution 2114 (LXIII) of 4 August 1977, the Economic and Social Council noted with satisfaction the report of the World Food Council on its session held at Manila in June 1977,[906] and submitted it to the General Assembly in accordance with General Assembly resolution 3348 (XXIX) of 17 December 1974. The Council endorsed the "Manila Communiqué of the World Food Council : A Programme of Action to Eradicate Hunger and Malnutrition",[907] and commended the World Food Council for the important initiatives it had taken. It also recommended that the General Assembly adopt the Programme of Action and urged all Governments, specialized agencies and other bodies of the United Nations system to implement the Programme fully.

484. At its thirty-second session, the General Assembly adopted resolution 32/52 of 8 December 1977, in which it endorsed Economic and Social Council resolution 2114 (LXIII) of 4 August 1977 and adopted the Programme of Action to Eradicate Hunger and Malnutrition contained in the Manila Communiqué of the World Food Council. It also called upon all Governments, specialized agencies, organs and other bodies within and outside the United Nations system dealing with food, agriculture and human nutrition to implement the Programme of Action fully and as

[903]WFC/13, transmitted by note of the Secretary-General (E/5708).
[904]See A/10333, annex.
[905]E/6028, annex III.
[906]WFC/50 transmitted by note of the Secretary-General (E/6025).
[907]Ibid., chap. I.

a matter of urgency. It further urged all Governments and United Nations organizations and bodies to give full support and encouragement to the World Food Council in discharging the important responsibilities assigned to it by the World Food Conference and the General Assembly.

485. At the same session, in its resolution 32/107 of 15 December 1977, the General Assembly approved the Agreement between the United Nations and the International Fund for Agricultural Development, and recognized the Fund as a specialized agency in accordance with the provisions of Articles 57 and 63 of the Charter of the United Nations.

486. At its thirty-third session, the General Assembly adopted resolution 33/90 of 15 December 1978, in which it adopted the Mexico Declaration of the World Food Council[908] concerning the world food situation and implementation of the Manila Communiqué of the Council. At the same time, the General Assembly expressed its deep concern at the slow progress in solving the fundamental food problems facing the developing countries. It also urged Governments to implement fully the recommendation to establish the international emergency reserve of 500,000 tons of cereals as a continuing reserve, with yearly replenishment determined by the Committee on Food Aid Policies and Programmes, which would be placed at the disposal of the World Food Programme. It further requested the World Food Council, taking into consideration the various annual assessments made by the Council, the Food and Agriculture Organization of the United Nations and other bodies, to undertake a comprehensive mid-decade review and assessment of the progress made in the implementation of the decisions, resolutions and programmes regarding food adopted since the World Food Conference, and to formulate action-oriented recommendations thereon.

(d) *Rights relating to motherhood and childhood*

487. With respect to maternity protection, the General Assembly, in its resolution 2716 (XXV) adopted on 15 December 1970 on the recommendation of the Economic and Social Council, entitled "Programme of concerted international action for the advancement of women", proposed minimum targets to be achieved during the Second United Nations Development Decade, including objectives relating to health and maternity protection.

488. With respect to family planning, the Economic and Social Council, on the recommendation of the Commission on the Status of Women, adopted resolution 1854 (LVI) of 16 May 1974, in which it took note of the study carried out by the Special Rapporteur on the interrelationship of the status of women and family planning.[909] The Council suggested that Member States should take the study into consideration, where appropriate, in the formulation of their population policies and in the promotion of the full participation of women at all levels and in all sectors of social, economic and political life, including decision-making levels, in order to achieve equality of opportunity for men and women. The Council requested the Secretary-General to distribute the report to Member States as a background document for the World Population Conference in 1974.

[908]A/33/19, part one, para. 1.
[909]E/CN.6/575 and Add. 1-3.

489. With respect to the unmarried mother and her child, the Economic and Social Council, acting on a recommendation submitted by the Commission on the Status of Women, adopted resolution 1514 (XLVIII) of 28 May 1970, in which it urged Member States which had not yet done so to take adequate measures of social assistance in favour of the unmarried mother and her child. The Council also requested the Secretary-General to devote a part of the report on the implementation of the Declaration on the Elimination of Discrimination against Women to the study of the problems posed by the integration of the unmarried mother and her child in all spheres of society.

490. On the recommendation of the Commission on the Status of Women, the Economic and Social Council adopted resolution 1679 (LII) of 2 June 1972, in which it recommended general principles to eliminate any prevailing legal and social discrimination and to secure for the unmarried mother and her child an acceptance on an equal footing with other members of society. Those principles dealt with maternal filiation, maintenance rights and obligations, matters of inheritance, measures of social assistance and social security including matters of employment, education and training as well as of access to child care facilities.

491. With respect to the rights of the child, the Economic and Social Council, in its resolution 1962 (LIX) of 30 July 1975, requested the Secretary-General to submit to the General Assembly a report on measures and modalities for ensuring the adequate preparation, support and financing of an international year of the child, to be preferably the year 1979, to coincide with the twentieth anniversary of the Declaration of the Rights of the Child.[910] By its resolution 3406 (XXX) of 28 November 1975, the General Assembly endorsed Council resolution 1962 (LIX) of 30 July 1975.

492. In its decision 178 (LXI) of 5 August 1976, the Economic and Social Council took note of the report of the Secretary-General on the adequate preparation of an international year of the child,[911] and recommended that the General Assembly should proclaim 1979 as the International Year of the Child and designate the United Nations Children's Fund as the lead agency for that purpose. It also invited Governments and appropriate organs and organizations of the United Nations system to give their support to and participate in the preparation of the International Year of the Child. The General Assembly, in its resolution 31/169 of 21 December 1976, endorsed Council decision 178 (LXI) of 5 August 1976, proclaimed the year 1979 International Year of the Child, specified the general objectives of the International Year of the Child and requested the Executive Director of the United Nations Children's Fund to report to it through the Council on progress in preparation for the International Year.[912]

493. By its resolution 1978/18 of 5 May 1978, the Economic and Social Council approved the initiative taken by the Commission on Human Rights with a view to the conclusion of a convention on the rights of the child and to its adoption by the General Assembly if possible in 1979 during the International Year of the Child.[913] The General As-

[910]GA resolution 1386 (XIV).
[911]E/5844.
[912]For the preparation, see GA resolutions 32/109 and 33/83; see also E S C resolutions 2105 (LXIII) and 1978/40.
[913]See Commission on Human Rights resolution 20 (XXXIV).

sembly endorsed Council resolution 1978/18 in its resolution 33/166 of 20 December 1978.

494. By its resolution 33/163 of 20 December 1978, the General Assembly invited the Governments of host countries to adopt measures to ensure that the children of migrant workers received genuinely equal treatment in the field of education and training.

495. In its resolution 33/183 L of 24 January 1979, the General Assembly, inter alia, urged Governments and organizations to give special attention, during the International Year of the Child, to the plight of children oppressed by the inhuman policy of apartheid.

496. With respect to the adoption of children, the General Assembly, at its twenty-seventh session, adopted resolution 3028 (XXVII) of 18 December 1972, in which it commended the World Conference on Adoption and Foster Placement for calling attention to the grave problems relating to adoption and foster placement. It also requested the Commission on Social Development to consider the question and to make recommendations for the preparation of a report which would include policies, programmes and comparative law concerning the protection of children for adoption and foster placement, as well as comments on the question of sponsoring an international conference for the purpose of elaborating an international convention on adoption law.

497. In its resolution 1750 (LIV) of 16 May 1973, the Economic and Social Council requested the Secretary-General to obtain through a questionnaire to Governments current information on policies, programmes and laws for the protection of children for adoption and foster placement, and their views on the question of sponsoring an international conference on adoption law, including the scope of such a conference. The Council also requested the Secretary-General to bring up to date the study entitled *Comparative Analysis of Adoption Laws*,[914] taking into account in particular any international legal instruments concluded on the matter, especially at the regional level.

498. The Economic and Social Council, by its resolution 1925 (LVIII) of 6 May 1975, affirmed the desirability of drawing up a declaration on principles of good adoption practice in the light of which countries could examine their own laws according to their own traditions. The Council decided to request the Secretary-General to convene a group of experts with relevant experience of adoption and foster placement practices, representative of all geographical regions, to prepare a draft declaration on social and legal principles relating to adoption and foster placement of children nationally and internationally, to review and appraise the recommendations and guidelines incorporated in the report of the Secretary-General and the relevant material submitted by Governments available to the Secretary-General,[915] and to draft guidelines for the use of Governments. The Council also requested relevant international organizations to cooperate with the Secretary-General in the implementation of the resolution. It further requested the Secretary-General to submit to the Commission for Social Development a draft declaration on social and legal principles for submission to the Council and to the General Assembly.

[914]United Nations publication, Sales No. 56.IV.5.
[915]E/CN.5/504 and Corr. 1 and 2 and Add. 1.

(e) *The right to education*

499. With respect to youth's education, the General Assembly, at its twenty-fifth session, adopted resolution 2633 (XXV) of 11 November 1970, in which it took note of the activities and message of the World Youth Assembly,[916] convened at United Nations Headquarters in July 1970 as a part of the celebration of the twenty-fifth anniversary of the United Nations. It also took note of the report of the Seminar on the Role of Youth in the Promotion and Protection of Human Rights, held at Belgrade in June 1970.[917] At the same time, the Assembly called upon Governments, all institutions of learning, United Nations organs, the specialized agencies and all other organizations concerned to act in such a way as to ensure the education of young people in the spirit of the ideas of peace based on justice, cooperation among peoples, respect for human rights and fundamental freedoms and the principles of international law, and also to take effective steps to combat propaganda in favour of unjust wars, as well as to combat racist, Nazi and similar ideologies. The General Assembly also requested Governments and educational institutions, taking into account in particular the relevant studies and recommendations of UNESCO, to encourage, as appropriate, closer association of young people in the planning and management of education programmes so as to enable them to participate in the solution of their own problems, in the overall development of educational systems and in the planning and operation of governmental programmes designed to serve youth. The General Assembly further requested the Secretary-General and the specialized agencies concerned to continue to undertake, on a regional and on a worldwide basis, programmes and projects related to the problems and needs of youth, especially those of the handicapped, young workers and rural youth, and their participation in national development, as well as their role in the promotion and protection of human rights, and to cooperate closely, as appropriate, with youth organizations.

500. At its twenty-seventh session, the General Assembly, by its resolution 3022 (XXVII) of 18 December 1972, recommended that the Secretary-General evaluate existing United Nations programmes and projects in order to enable youth to participate fully at appropriate levels of policy formulation and project implementation and evaluation. It approved the recommendation of the Secretary-General to convene an Ad Hoc Advisory Group on Youth to advise him on activities that should be undertaken by the United Nations to meet the needs and aspirations of youth. It also requested the Secretary-General to transmit the conclusions and recommendations of the Ad Hoc Advisory Group to the Economic and Social Council, which was to consider, among other things, the continuation of the Group. It further decided to re-examine the matter when necessary.

501. At the same session, the General Assembly, in its resolution 3023 (XXVII) of 18 December 1972, took note of the report of the Secretary-General[918] regarding the implementation of the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples. It addressed a solemn appeal to all States, as well as to international governmental and

[916]See World Youth Assembly, document 56/WYA/P/10.
[917]ST/TAO/HR/39.
[918]A/8782 and Add. 1-3.

non-governmental organizations, to take appropriate action to foster among youth respect for all peoples, irrespective of nationality, race, sex or religion, regard for human values, and devotion to the ideals of peace, freedom and progress and to the cause of human rights. It also decided to examine periodically the implementation of the principles of the Declaration on the basis of further reports submitted by the Secretary-General.

502. In its resolution 1752 (LIV) of 16 May 1973, the Economic and Social Council reaffirmed the inalienable right of youth to education, employment, shelter, health care and the fulfilment of other social and cultural needs. It also took note of the report of the Secretary-General on youth[919] and recommended to Governments the proposals for action contained in the report. It further emphasized the importance of the decision of the General Assembly in its resolution 3022 (XXVII) of 18 December 1972 to convene an Ad Hoc Advisory Group on Youth.

503. The Economic and Social Council, in its resolution 1842 (LVI) of 15 May 1974, noted that an Ad Hoc Advisory Group on Youth had been convened at United Nations Headquarters in August 1973, under the terms of General Assembly resolution 3022 (XXVII) of 18 December 1972. The Council noted with appreciation the report of the Ad Hoc Advisory Group and the report of the Secretary-General[920] containing his comments and recommendations on the report of the Group, and requested the Secretary-General to communicate those reports to Member States and interested international youth organizations in consultative status, as well as to the Commission for Social Development, the Commission on Human Rights, the Commission on the Status of Women and the Population Commission for their consideration. The Council also recommended to those Commissions that the United Nations should organize international and regional meetings on specific issues and action programmes related to youth, especially on the participation of youth in the life of society. It further approved the recommendation of the Secretary-General to convene two additional meetings of the Ad Hoc Advisory Group, in 1974 and in 1975 respectively, in order to study further the problems mentioned in General Assembly resolution 3022 (XXVII) and in the report of the Secretary-General.

504. By its resolution 1923 (LVIII) of 6 May 1975, the Economic and Social Council took note of the reports of the Secretary-General on the meetings of the Ad Hoc Advisory Group on Youth[921] and approved the recommendations concerning the establishment of a cooperative arrangement among youth research and information centres contained in the reports.

505. At its thirty-first session, the General Assembly, in its resolution 31/129 of 16 December 1976, recalled its resolution 3023 (XXVII) of 18 December 1972, and requested the Secretary-General to submit, through the Commission for Social Development and the Economic and Social Council, a report on the measures that had been taken to implement the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, and a progress report on the establishment of a cooperative arrangement among youth research and information centres.

506. At its thirty-second session, the General Assembly adopted resolution 32/134 of 16 December 1977, in which it recalled its earlier resolutions on the situation, needs and aspirations of youth, and invited all States to make known their views concerning the proclamation of an international youth year and to transmit their proposals and observations in that regard to the Secretary-General before 1 July 1978. It also requested the Secretary-General to prepare a report containing the views of Member States and to propose possible ways and means for the observance of such a year. It further requested the Secretary-General to prepare a brief synopsis of the legislative history and programme activities of the United Nations in the field of youth since 1965, and to submit the synopsis to the Assembly for further discussion.

507. At its thirty-third session, the General Assembly adopted resolution 33/7 of 3 November 1978, in which it recalled its resolution 32/134 of 16 December 1977 and decided to proclaim an International Youth Year and to designate the most suitable period for its celebration, as well as the ways and means for its observance, at its thirty-fourth session.

508. With respect to women's education and training, the Economic and Social Council, acting on a recommendation submitted by the Commission on the Status of Women, adopted resolution 1512 (XLVIII) of 28 May 1970, in which it appealed to Member States to intensify their efforts to ensure that all the necessary steps were taken and every facility provided to enable women to start or continue their education. The Council requested UNESCO to assign an important place in its functional literacy programmes to women who were still illiterate and to give assistance to all literacy undertakings, inter alia, by acquainting them with modern techniques and methods for overcoming illiteracy. It also suggested that activities should be undertaken or continued with the express aim of securing the signing and ratification by States of the 1960 UNESCO Convention against Discrimination in Education.

509. In its resolution 2716 (XXV), entitled "Programme of concerted international action for the Advancement of Women", the General Assembly proposed minimum targets to be achieved during the Second United Nations Development Decade, including objectives relating to education and training for women.

510. The Economic and Social Council, in its resolution 1959 (LIX) of 28 July 1975, took note of the report of the World Conference of the International Women's Year,[922] and, inter alia, requested the Secretary-General to report to the General Assembly on the establishment of an international institute for the advancement of women.[923]

511. The General Assembly, in its resolution 3520 (XXX) of 15 December 1975, took note of the report of the World Conference of the International Women's Year and of the note by the Secretary-General[924] on the establishment of an international institute for the advancement of women. The Assembly also decided in principle, in accordance with resolution 26 adopted by the Conference, to es-

[919] E/CN.5/486 and Add. 1.
[920] E/5427.
[921] E/CN.5/520.
[922] United Nations publication, Sales No. E.76.IV.1.
[923] E/5725, part one, sect. III. 26.
[924] A/10340.

tablish under the auspices of the United Nations an International Research and Training Institute for the Advancement of Women, which would be financed through voluntary contributions and would collaborate with appropriate national, regional and international economic and social research institutes. The Assembly invited the Secretary-General to appoint a group of experts on the establishment of the Institute, consisting of five to 10 experts, to draw up the terms of reference and structural organization of the Institute, giving special consideration to the needs of women of developing countries.

512. At the same session, the General Assembly, acting upon resolution 21 adopted by the World Conference of the International Women's Year, adopted resolution 3523 (XXX) of 15 December 1975, in which it requested the Secretary-General to prepare and submit guidelines for non-formal educational programmes designed to enable rural women to use their capabilities fully and to contribute to the development of society. The General Assembly also urged all Governments to develop extensive training programmes relevant to women and to make full use of all existing and proposed research institutes and centres for the advancement of women in rural areas.

513. By its resolution 1998 (LX) of 12 May 1976, the Economic and Social Council welcomed the recommendations of the Group of Experts[925] and decided to establish not later than 1977 the International Research and Training Institute for the Advancement of Women as an autonomous body under the auspices of the United Nations, funded through voluntary contributions. It also decided on the guidelines for the Institute and requested the Secretary-General to prepare a timetable and to undertake all other necessary administrative steps for the establishment of the Institute if possible by 1977.

514. In its resolution 31/134 of 16 December 1976, the General Assembly appealed to all States which had not yet done so to become parties to the 1960 UNESCO Convention against Discrimination in Education, as well as to the 1958 Discrimination (Employment and Occupation) Convention, and the 1975 Human Resources Development Convention, elaborated by the International Labour Organization. The Assembly also called upon States, whenever necessary, to undertake all possible measures to eliminate illiteracy among women, especially during the United Nations Decade for Women, as well as to consider undertaking all appropriate measures, inter alia, to introduce free and compulsory education at the elementary level and, where possible, free education at all levels, to promote coeducation and to ensure that men and women had access on a footing of equality to scholarships and other study grants.

515. At the same session, in its resolution 31/135 of 16 December 1976, the General Assembly endorsed the decision of the Economic and Social Council to create an International Research and Training Institute for the Advancement of Women, as well as the guidelines regarding the activities of the Institute, as set out in Council resolution 1998 (LX) of 12 May 1976. It also accepted the offer of the Government of Iran to have the Institute established in that country.

516. On the recommendation of the Commission on the Status of Women, the Economic and Social Council adopted resolution 2059 (LXII) of 12 May 1977, in which it invited the United Nations Development Programme and international agencies concerned to organize, at the request of the interested Governments, training programmes for women related to the planning, evaluation and management of development projects. It also requested that this kind of training be envisaged as a possible programme of the International Research and Training Institute for the Advancement of Women. It further invited international agencies to allocate to women an equitable number of responsible posts in their respective structures, particularly in the departments entrusted with the implementation of the resolution.

517. The Economic and Social Council, in its resolution 1978/25 of 5 May 1978, requested the Secretary-General to proceed with the appointment of the Director of the International Research and Training Institute for the Advancement of Women and the members of the Board of Trustees as soon as the agreement with the host country was signed. It also recalled that the Institute should function as an autonomous body under the auspices of the United Nations and financed from voluntary contributions. In its resolution 33/187 of 29 January 1979, the General Assembly endorsed Economic and Social Council resolution 1978/25 of 5 May 1978.

518. At the same session, the General Assembly, by its resolution 33/184 of 29 January 1979, recalled its resolution 31/134 of 16 December 1976 and urged States to take the necessary measures to promote full equality of women with men in education and in the economic and social fields. It also invited Member States to give in their reports, which were to be submitted in accordance with, inter alia, Economic and Social Council resolution 1677 (LII) of 2 June 1972 and its resolution 3520 (XXX) of 15 December 1975, the fullest possible information on their experience in the improvement of the status and role of women in education and in the economic and social fields and its impact on the achievement of the equality of women with men. It further invited the specialized agencies, regional commissions and interested intergovernmental and non-governmental organizations to submit their observations on the matter. At the same time, it requested the Secretary-General to prepare an analytical report on the subject based on the material received from Member States as well as on various existing studies and research.

519. With respect to the international university, the General Assembly, at its twenty-fifth session, adopted resolution 2691 (XXV) of 11 December 1970, in which it authorized the Secretary-General to set up a panel of experts on the establishment of an international university, for the purpose of assisting him in his further consultations and studies on the question, consisting of: (a) 10 experts nominated by the Governments of Member States to be designated by the President of the General Assembly; and (b) 5 experts to be designated by the Secretary-General in consultation with the Director-General of UNESCO and the Executive Director of the United Nations Institute for Training and Research.

520. At its twenty-sixth session, the General Assembly, in its resolution 2822 (XXVI) of 16 December 1971, authorized the Secretary-General to call on the assistance of the Panel of Experts on the Establishment of an International University, and decided that the membership of the Panel should be increased to not more than 20 to allow for the designation of five additional experts by the Direc-

[925] E/5772, paras. 4-23.

tor-General of UNESCO in consultation with the Secretary-General and interested agencies and programmes.

521. At its twenty-seventh session, the General Assembly adopted resolution 2951 (XXVII) of 11 December 1972, in which it decided to establish an international university under the auspices of the United Nations to be known as the United Nations University. The General Assembly also specified the objectives and principles of the University, and requested the Secretary-General to establish a Founding Committee to define further the objectives and principles of the University and to draft its charter, to consist of not more than 20 experts designated half by the Secretary-General and half by the Director-General of UNESCO, in consultation with the specialized agencies and programmes concerned, including the United Nations Institute for Training and Research. The Assembly further requested the Secretary-General to commence efforts for raising the necessary funds in order to permit the launching of the University at the earliest possible date and to make recommendations concerning the location of the programming and coordination centre and of the other institutions.

522. At its twenty-eighth session, the General Assembly, in its resolution 3081 (XXVIII) of 6 December 1973, adopted the Charter of the United Nations University, decided that the University Centre should be located in the Tokyo metropolitan area in Japan, and recommended that the University Council, in considering the location of research and training centres and programmes of the University, as well as its associated institutions, should take fully into account offers of facilities and other types of contribution and, in particular, the views concerning the need for support of research and training activities in the developing countries or for their benefit. At the same time, the General Assembly recommended that the University Council should consider, as one of its priority tasks, the relationship between the University and the United Nations Institute for Training and Research, including possible areas of cooperation in research and training. It also authorized the Secretary-General, pending the assumption of office by the Rector, to take all necessary measures to implement the provisions of the Charter of the University, in consultation with the Director-General of UNESCO, as well as to continue efforts for raising the funds required for the dynamic development of the University.

523. At its twenty-ninth session, the General Assembly adopted resolution 3313 (XXIX) of 14 December 1974, in which it welcomed the fact that the members of the Council and the Rector of the United Nations University had been appointed in accordance with the Charter of the University. It urged the Council of the University to approve an initial work programme as a first priority, and invited Member States to make voluntary contributions in cash as well as in kind to the University. It also invited the agencies and bodies of the United Nations system to cooperate with the University.

524. At its thirtieth session, the General Assembly, by its resolution 3439 (XXX) of 9 December 1975, expressed the hope that the United Nations University would continue to grow as an important and autonomous organ of the General Assembly charged with the responsibility for scholarly inquiry, on a truly global basis, into urgent problems facing mankind as a whole. It encouraged the University to pursue its work within the three broad areas of priority identified in paragraph 19 of its report[926] so as to take due account, inter alia, of the issues mentioned in the pertinent resolutions of the General Assembly. It urged the University to embark on its full activities as soon as possible and establish appropriate links with interested and qualified institutions all over the world, particularly those of developing countries, so as to respond to the mounting expectations of the world university, scientific and other intellectual communities.

525. At its thirty-second and thirty-third sessions, the General Assembly, in its resolutions 32/54 of 8 December 1977 and 33/108 of 18 December 1978, welcomed the fact that the programme activities of the United Nations University were under way in all the three priority programme areas—world hunger, human and social development and use and management of natural resources—and expressed its confidence that the University would continue its intensified efforts for the early achievement of tangible results which would represent substantial contributions to the solution of the pressing problems of global concern. The General Assembly also recognized that the major activities of the University were concerned with problems and institutions in developing countries and encouraged continuation of that emphasis. It further appealed to all Member States to take cognizance of the achievements of the University during its first three years and to make substantial contributions to the Endowment Fund and/or to specific programmes of the University so that its work might go forward successfully.

526. At its thirty-third session, the General Assembly adopted resolution 33/109 of 18 December 1978 in which it took note of the proposal for the establishment of a University for Peace within the system of the United Nations University. The General Assembly requested the Secretary-General to transmit the proposal to Member States, interested specialized agencies and the Rector and Council of the United Nations University, so that they might communicate their views on it. At the same time, the General Assembly requested the Secretary-General to bring those views to the attention of all Member States and interested specialized agencies and to submit to it a report on the matter through the Economic and Social Council.

527. With respect to human rights teaching, the Commission on Human Rights, at its twenty-ninth session, adopted resolution 17 (XXIX) of 3 April 1973 on the teaching of human rights in universities and the development of an independent scientific discipline of human rights. The Commission noted the report[927] on UNESCO action in that field, and requested UNESCO to continue to extend its activities on the matter. The Commission also drew the attention of the Economic and Social Council to the fact that it favoured the establishment of a centre for teaching and research in the field of human rights within the framework of the United Nations University established by the General Assembly in its resolution 2951 (XXVII) of 11 December 1972.

528. The Declaration on the Rights of Mentally Retarded Persons of 1971 provides that the mentally retarded person has a right to such education, training, rehabilitation and guidance as will enable him to develop his ability and potential to the maximum.[928]

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[926] A/10031.
[927] E/CN.4/1119 and Corr. 1 and 2.
[928] See also para. 99 above.

529. The Declaration on the Rights of Disabled Persons of 1975 provides that disabled persons have the right to education, vocational training and rehabilitation, aid, counselling, placement services and other services which will enable them to develop their capabilities and skills to the maximum and will hasten the process of their social integration or reintegration.[929]

(f) *Rights relating to cultural life, the arts and scientific advancement*

530. At its twenty-ninth session, the General Assembly adopted resolution 3269 (XXIX) of 10 December 1974 in which, having considered the draft declaration on the use of scientific and technological progress in the interests of peace and for the benefit of mankind,[930] it decided to defer further consideration of the draft declaration until its thirtieth session in 1975 and to take it up at that session as a matter of priority.

531. At its thirtieth session, the General Assembly, by its resolution 3384 (XXX) of 10 November 1975, solemnly proclaimed the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind.[931]

532. At its thirty-first session, the General Assembly, in its resolution 31/128 of 16 December 1976, entitled "Human rights and scientific and technological developments", called upon Member States and specialized agencies concerned to take fully into account in their programmes, plans and activities, 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.

533. By its resolution 10 B (XXXIII) of 11 March 1977, the Commission on Human Rights recalled the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, and expressed its concern that scientific and technological achievements might be used to the detriment of fundamental human rights and freedoms, the dignity of the human person, international peace and security and social progress. The Commission instructed the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine, in the light of the provisions of the Declaration, studies relating to the subject and to submit its observations to the Commission.

(g) *Rights to protection of scientific, literary or artistic production*

534. At its fiftieth session, the Economic and Social Council adopted resolution 1575 (L) of 20 May 1971 concerning the UNESCO decision to proclaim 1972 International Book Year. The Council supported that initiative and invited the countries participating in the conferences organized by UNESCO during the 1972 International Book Year to respond to the requirements of the developing countries in revising the Berne Convention for the Protection of Literary and Artistic Works[932] and the Universal Copyright Convention respectively,[933] including their requirements in the field of school and university education. The Council also recommended that financial and technical assistance should be provided to create an adequate infrastructure in the developing countries for the promotion of domestic book production.

c. *Question of the relation of rights and freedoms, other than those proclaimed in the Universal Declaration of Human Rights, to the concept of "human rights and fundamental freedoms"*

(i) *The right of petition*

535. At its twenty-sixth session, the Commission on Human Rights adopted resolution 7 (XXVI) of 13 March 1970, in which it recalled Economic and Social Council resolution 1235 (XLII) of 6 June 1967, and decided that no inquiry pursuant to the new procedure that it had proposed to the Council and which dealt with communications relating to violations of human rights[934] might be undertaken until the remedies available at the national, regional and international levels had been exhausted. The Commission also decided that such inquiries must be carried out in cooperation with the Government concerned.

536. On the recommendation of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Economic and Social Council, by its resolution 1503 (XLVIII) of 27 May 1970, adopted a procedure for dealing with communications relating to violations of human rights and fundamental freedoms. By that procedure, the Council authorized the Sub-Commission to appoint a working group consisting of not more than five of its members, with due regard to geographical distribution, to meet once a year in private meetings for a period not exceeding 10 days immediately before the sessions of the Sub-Commission to consider all communications, including replies of Governments thereon, received by the Secretary-General under Council resolution 728 F (XXVIII) of 30 July 1959 with a view to bringing to the attention of the Sub-Commission those communications, together with replies of Governments, if any, which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms within the terms of reference of the Sub-Commission.[935] The Council also decided that the Sub-Commission should, as the first stage in the implementation of the resolution, devise appropriate procedures for dealing with the question of admissibility of communications received by the Secretary-General under Council resolution 728 F (XXVIII) and in accordance with Council resolution 1235 (XLII) of 6 June 1967.[936] The Council requested the Secretary-General to prepare a document on the question of admissibility of communications for the Sub-Commission's consideration.[937] It further requested the Secretary-General:

(a) To furnish to the members of the Sub-Commission every month a list of communications prepared by him in accordance with Council resolution 728 F (XXVIII) and a brief description of them, together with the text of any replies received from Governments;

[929]See also para. 131 above.
[930]A/9937, para. 11.
[931]See also paras. 125-128 above.
[932]United Nations *Treaty Series*, vol. 331 (1959), No. 4757.
[933]United Nations *Treaty Series*, vol. 216 (1955), No. 2937.

[934]See Commission on Human Rights resolution 17 (XXV).
[935]ESC resolution 1503 (XLVIII), para. 1.
[936]Ibid., para. 2.
[937]Ibid., para. 3.

(b) To make available to the members of the working group at their meetings the originals of such communications listed as they might request;

(c) To circulate to the members of the Sub-Commission, in the working languages, the originals of such communications as were referred to the Sub-Commission by the working group.

In the same resolution, the Council requested the Sub-Commission to consider in private meetings the communications brought before it in accordance with the decision of a majority of the members of the working group and any replies of Governments relating thereto and other relevant information, with a view to determining whether to refer to the Commission on Human Rights particular situations which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights requiring consideration by the Commission.[938] The Council also requested the Commission after it had examined any situation referred to it by the Sub-Commission to determine :

(a) Whether it required a thorough study by the Commission and a report and recommendations thereon to the Council in accordance with paragraph 3 of Council resolution 1235 (XLII);

(b) Whether it might be a subject of an investigation by an ad hoc committee to be appointed by the Commission which should be undertaken only with the express consent of the State concerned and should be conducted in constant cooperation with that State and under conditions determined by agreement with it. In any event, the investigation might be undertaken only if:

(i) All available means at the national level had been resorted to and exhausted;

(ii) The situation did not relate to a matter which was being dealt with under other procedures prescribed in the constituent instruments of, or conventions adopted by, the United Nations and the specialized agencies, or in regional conventions, or which the State concerned wished to submit to other procedures in accordance with general or special international agreements to which it was a party.[939]

By the same resolution, the Council decided that if the Commission appointed an ad hoc committee to carry on an investigation with the consent of the State concerned : (a) the composition of the committee should be determined by the Commission and the members of the committee should be appointed with the consent of the Government concerned; (b) the committee should establish its own rules of procedure, should have authority to receive communications and hear witnesses as necessary and should conduct the investigation in cooperation with the Government concerned; (c) the committee's procedure should be confidential; (d) the committee should strive for friendly solutions before, during and even after the investigation; and (e) the committee should report to the Commission with such observations and suggestions as it might deem appropriate. The Council also decided that all actions envisaged in the implementation of the resolution by the Sub-Commission or the Commission should remain confidential until such time as the Commission might decide to make recommendations to it. The Council further decided that the procedure set out in the resolution should be reviewed if any new organ entitled to deal with communications relating to violations of human rights and fundamental freedoms should be established within the United Nations or by international agreement.

537. At its twenty-seventh session, the Commission on Human Rights, by its resolution 14 (XXVII) of 24 March 1971, decided to establish a working group of five of its members to meet, if possible, immediately before its twenty-eighth session to examine the model rules of procedure for United Nations bodies dealing with violations of human rights contained in the note by the Secretary-General.[940]

538. In its resolution 1 (XXIV) of 13 August 1971, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted provisional procedures for dealing with the question of admissibility of communications.

539. At the same session, the Sub-Commission, in its resolution 2 (XXIV) of 16 August 1971, decided that the five members of the working group authorized by the Economic and Social Council in its resolution 1503 (XLVIII) of 27 May 1970 should be selected by its Chairman, after consultations with the members of each geographical area, one from each of the following geographical areas: Africa, Asia, Eastern Europe, Western European and other States, and Latin America and the Caribbean. The Sub-Commission also decided that the working group should hold closed meetings and that the results of its work should be communicated to the Sub-Commission confidentially.

540. Acting on a recommendation submitted by the Commission on Human Rights, the Economic and Social Council adopted resolution 1870 (LVI) of 17 May 1974, in which it took note of the reports of the Working Group on model rules of procedure for United Nations bodies dealing with violations of human rights,[941] and brought those reports to the attention of organs and bodies of the United Nations dealing with questions of human rights and fundamental freedoms.

541. At the same session, in its decision 15 (LVI) of 17 May 1974,[942] the Council decided to authorize the Commission to establish a working group composed of five of its members, due account being taken of considerations of geographical distribution, which would meet one week before any future session of the Commission to examine the documents transmitted by the confidential resolution of the Sub-Commission under Council resolution 1503 (XLVIII), together with written observations of the Governments and any further report that the Sub-Commission might submit under that resolution.

542. At its thirty-fourth session, the Commission on Human Rights, by its resolution 16 (XXXIV) of 7 March 1978, requested the Secretary-General to prepare an analysis of existing United Nations procedures for dealing with communications concerning violations of human rights, and to assist the Commission in studying measures to avoid possible duplication and overlapping of work in the implementation of those procedures.

543. In its resolution 7 B (XXXI) of 13 September 1978, the Sub-Commission on Prevention of Discrimination and

[938] Ibid., para. 5.
[939] ESC resolution 1503 (XLVIII), para. 6.
[940] E/CN.4/1021/Rev. 1.
[941] E/CN.4/1086 and E/CN.4/1134.
[942] Based on Commission on Human Rights decision 3 (XXX).

Protection of Minorities requested the competent United Nations bodies to amend the rules of procedure so that in the future the Sub-Commission and its Working Group provided for in paragraph 1 of Council resolution 1503 (XLVIII) should, in taking decisions on matters arising in the implementation of the resolution, adopt the method of voting by secret ballot unless the Sub-Commission or its Working Group decided otherwise.

544. At the same session, in its resolution 10 (XXXI) of 13 September 1978, the Sub-Commission requested the Secretary-General to conduct a thorough investigation into the violations of the rule of confidentiality of the procedure under resolution 1503 (XLVIII), to devise and bring into effect appropriate measures to prevent such violations, and to report to the Commission on Human Rights on the results of the investigation and in respect of the measures devised and brought into effect.

(ii) *(The right of peoples and nations to self-determination*

545. On the occasion of the tenth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[943] the General Assembly, by its resolution 2621 (XXV) of 12 October 1970, adopted the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. In the resolution, the General Assembly reaffirmed the inherent right of colonial peoples to struggle against colonial Powers. It recommended that Member States render all necessary moral and material assistance to the peoples of colonial Territories in their struggle to attain freedom and independence. The General Assembly also drew the attention of the Security Council to the need to continue to give special attention to the problems of southern Africa by adopting measures to ensure the full implementation of General Assembly resolution 1514 (XV) as well as its own resolutions. It further recommended that Member States wage a vigorous and sustained campaign against activities and practices of foreign economic, financial and other interests operating in colonial Territories, and consider the adoption of necessary steps to have their nationals and companies under their jurisdiction discontinue such activities and practices; those steps should also aim at preventing the systematic influx of foreign immigrants into colonial Territories, which disrupted the integrity and social, political and cultural unity of the peoples under colonial domination. In the same resolution, Member States were invited to carry out a sustained and vigorous campaign against all military activities and arrangements by colonial Powers in Territories under their administration. The specialized agencies and international institutions associated with the United Nations were requested to intensify their activities related to the implementation of resolution 1514 (XV). The United Nations as well as all States were invited to intensify their efforts in the field of public information in the area of decolonization through all media, including publications, radio and television. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples was invited to continue to examine the full compliance of all States with the Declaration and with other relevant resolutions on the question of decolonization, and to continue to assist the General Assembly in finding the best ways and means for the final liquidation of colonialism.

546. At the same session, the General Assembly, in its resolution 2625 (XXV) of 24 October 1970, adopted the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. The Declaration contains seven principles, including the principle of equal rights and self-determination of peoples.

547. By its resolution 2627 (XXV) of 24 October 1970, the General Assembly adopted the Declaration on the Occasion of the Twenty-fifth Anniversary of the United Nations, in which the States Members of the United Nations acclaimed the role of the United Nations in the past 25 years in the process of the liberation of peoples of colonial, Trust and other Non-Self-Governing Territories.[944] They also reaffirmed the inalienable right of all colonial peoples to self-determination, freedom and independence and condemned all actions which deprived any people of those rights.[945] They furthermore re-emphasized that colonial countries and peoples were entitled, in their just struggle, to seek and to receive all necessary moral and material help in accordance with the purposes and principles of the Charter of the United Nations.[946]

548. In its resolution 2704 (XXV) of 14 December 1970, the General Assembly reiterated its appeals to the specialized agencies in the matter of implementing provisions of the various resolutions on colonial Territories in southern Africa. It urgently appealed to the specialized agencies and the other organizations within the United Nations system to render all possible moral and material assistance to the peoples struggling for their liberation from colonial rule and, in particular, to work out, with the active cooperation of the Organization of African Unity and, through it, of the national liberation movements, concrete programmes for assisting the peoples of Southern Rhodesia, Namibia and the Territories under Portuguese administration.[947] The General Assembly also requested the Economic and Social Council to consider, in consultation with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, appropriate measures for the coordination of the policies and activities of the specialized agencies and other organizations within the United Nations system in implementing the relevant resolutions of the General Assembly.[948] Those recommendations were addressed in particular to the International Civil Aviation Organization, the Universal Postal Union, the International Telecommunication Union and the Inter-Governmental Maritime Consultative Organization. The General Assembly further addressed itself once again to the International Bank for Reconstruction and Development and the International Monetary Fund to take all the necessary steps to withhold financial, economic, technical and other assistance from the Governments of Portugal and South Africa until they renounced their policies of racial discrimination and colonial domination.[949]

[943] GA resolution 1514 (XV).

[944] GA resolution 2627 (XXV), para. 6.
[945] Ibid.
[946] Ibid.
[947] GA resolution 2704 (XXV), para. 5.
[948] Ibid., para. 13.
[949] Ibid., para. 9.

549. The General Assembly, in its resolution 2708 (XXV) of 14 December 1970, reviewed the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and recalled earlier resolutions adopted on the matter. It reiterated its declaration that the practice of using mercenaries against national liberation movements in the colonial Territories constituted a criminal act and called upon all States to take the necessary measures to prevent the recruitment, financing and training of mercenaries in their territory and to prohibit their nationals from serving as mercenaries. It also requested the colonial Powers to withdraw immediately and unconditionally their military bases and installations from colonial Territories and to refrain from establishing new ones. It further condemned the policies, pursued by certain colonial Powers in the Territories under their domination, of imposing non-representative regimes and constitutions, strengthening the position of foreign economic and other interests, misleading world public opinion and encouraging the systematic influx of foreign immigrants while evicting, displacing and transferring the indigenous inhabitants to other areas, and called upon those Powers to desist forthwith from such policies. In the same resolution, the General Assembly requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to seek suitable means for the immediate and full implementation of the Declaration in all Territories which had not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism. It also requested the Special Committee to make concrete suggestions which could assist the Security Council in considering appropriate measures under the Charter of the United Nations with regard to developments in colonial Territories which were likely to threaten international peace and security. It further requested the Special Committee to continue to pay particular attention to the small Territories, and to recommend to it the most appropriate methods and also the steps to be taken to enable the populations of those Territories to exercise fully and without delay their right to self-determination and independence.

550. At its twenty-seventh session, the Commission on Human Rights considered the question of the implementation of the United Nations resolutions relating to the rights of peoples under colonial and alien domination to self-determination. The Commission adopted resolution 8 A (XXVII) of 11 March 1971, in which it requested the Secretary-General to prepare an annotated collection of all the resolutions adopted by the various organs of the United Nations, the specialized agencies and the regional organizations relating to the right of peoples under colonial and alien domination to self-determination. The Commission also decided, making use of that collection, to continue its consideration of the question with a view to appointing a Special Rapporteur. On the recommendation of the Commission, the Economic and Social Council adopted resolution 1866 (LVI) of 17 May 1974, in which it approved the decision of the Commission to authorize the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a Special Rapporteur to analyse the report of the Secretary-General relating to the right of peoples under colonial and alien domination to self-determination[950] and to make recommendations to the Commission with regard to the implementation of United Nations resolutions on the matter.

551. On the recommendation of the Sub-Commission, the Commission on Human Rights adopted resolution 10 (XXIX) of 22 March 1973 in which it requested the Sub-Commission to place on its agenda the item entitled "The historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms", in which it invited the Sub-Commission to give high priority to the item and to examine it with a view to establishing the guidelines for a study on the matter, including the possibility of appointing a Special Rapporteur for that purpose. By its resolution 3070 (XXVIII) of 30 November 1973, the General Assembly welcomed[951] the initiative taken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in appointing a Special Rapporteur from among its members to prepare a detailed study on the historical and current development of the right of peoples to self-determination.[952]

552. The General Assembly, in its resolution 32/14 of 7 November 1977, stated, inter alia, that it looked forward to the publication of the following studies by the Sub-Commission :

(*a*) Historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms;

(*b*) Implementation of United Nations resolutions relating to the right of peoples under colonial and foreign domination to self-determination.[953]

553. By its resolution 32/142 of 16 December 1977, the General Assembly seized the occasion of the 1978 International Anti-Apartheid Year to invite all States fully to support women exposed to colonialism, racism and apartheid in their struggle against the racist regimes in southern Africa. It also invited all States to proclaim, in accordance with their historical and national traditions and customs, any day of the year as United Nations Day for Women's Rights and International Peace and to inform the Secretary-General thereon. It further requested the Commission on the Status of Women to consider, as a contribution to the preparation of the World Conference of the United Nations Decade for Women, to be held in 1980, the elaboration of a draft declaration on the participation of women in the struggle for the strengthening of international peace and security and against colonialism, racism, racial discrimination, foreign aggression and occupation and all forms of foreign domination and to report thereon to the Economic and Social Council.

554. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 3 (XXXI) of 13 September 1978, decided to transmit to the Commission on Human Rights for consideration the final

[950]E/CN.4/1081 and Add. 1 and 2.
[951]GA resolution 3070 (XXVIII), para. 8.
[952]See E/CN.4/1128, part B, resolution 5 (XXVI).
[953]GA resolution 32/14, para. 12.

report by the Special Rapporteur on the historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms.[954] The Sub-Commission also recommended that the report should be submitted to the General Assembly at the earliest possible date.

555. At the same session, the Sub-Commission, having received the updated report of the Special Rapporteur on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination,[955] adopted resolution 4 A (XXXI) of 13 September 1978, in which it requested the Secretary-General to transmit that report to the General Assembly, the Commission on Human Rights and other bodies of the United Nations. The Sub-Commission also requested the Commission to entrust the Special Rapporteur with the preparation of the preliminary draft of the international instrument proposed in his report for consideration by the Sub-Commission.

556. At its twenty-eighth session, the General Assembly adopted resolution 3187 (XXVIII) of 18 December 1973 concerning the restitution of works of art to countries victims of expropriation. In the resolution, the General Assembly noted with interest the work of the third Congress of the International Association of Art Critics held at Kinshasa-N'Sélé, Zaire, in 1973. It also recalled the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[956] adopted by the General Conference of UNESCO on 14 November 1970. The General Assembly deplored the wholesale removal, virtually without payment, of *objets d'art* from one country to another, frequently as a result of colonial or foreign occupation. It affirmed that the prompt restitution to a country of its *objets d'art*, monuments, museum pieces, manuscripts and documents by another country, without charge, was calculated to strengthen international cooperation inasmuch as it constituted just reparation for damage done. It called upon all States concerned to prohibit the expropriation of works of art from Territories still under colonial or alien domination.[957]

557. At its thirty-third session, the General Assembly adopted resolution 33/50 of 14 December 1978, in which it commended UNESCO for the work done in connection with the restitution and return of cultural and artistic property. It also welcomed the establishment of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation. It further requested UNESCO to continue its valuable efforts to find suitable solutions and urged Member States to cooperate with UNESCO in that field.

558. At its twenty-fifth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities considered the question of consequences for the effectiveness of human rights of the aid which in some cases might be given to the racist and colonial regimes in southern Africa. The Sub-Commission adopted resolution 6 (XXV) of 30 August 1972, in which it requested the Secretary-General to prepare, in cooperation with relevant United Nations bodies and other interested organizations, and to submit to it a survey presenting factual data on political assistance, economic aid, military aid, trade in arms and other relations which helped to strengthen those regimes.

559. At its twenty-sixth session, the Sub-Commission, in its resolution 3 (XXVI) of 19 September 1973, recommended that the Commission on Human Rights direct it to appoint a Special Rapporteur to evaluate urgently the adverse consequences for the enjoyment of human rights of assistance, in particular through investments of foreign capital and military aid, given to the racist regimes. It also requested the Secretary-General to update comprehensively his report on assistance and support given to the colonial and racist regimes of southern Africa.[958]

560. On the recommendation of the Commission on Human Rights, the Economic and Social Council adopted resolution 1864 (LVI) of 17 May 1974, in which it approved the decision of the Commission to authorize the Sub-Commission to appoint a Special Rapporteur to evaluate urgently the importance and the sources of political, military, economic and other assistance given by certain States to the racist and colonial regimes in southern Africa, as well as the direct or indirect effects of such assistance on the perpetuation of colonialism, racial discrimination and apartheid.

561. At its thirtieth and thirty-first sessions, the Sub-Commission on Prevention of Discrimination and Protection of Minorities considered the reports by the Special Rapporteur on the adverse consequences for the enjoyment of human rights of political, economic and other forms of assistance given to colonial and racist regimes in southern Africa.[959] In its resolutions 1 (XXX) of 26 August 1977 and 2 (XXXI) of 13 September 1978, the Sub-Commission decided to transmit those reports to the Commission on Human Rights for consideration. In 1977, the Sub-Commission, on the recommendation of the Commission on Human Rights,[960] also invited the Special Rapporteur to prepare the necessary material for a provisional general list identifying those whose activities constituted assistance to the colonial and racist regimes in southern Africa, as requested by the Commission in its resolution 7 (XXXIII) of 4 March 1977. In 1978, the Sub-Commission[961] invited the Special Rapporteur to present a final version of his report, based upon further research as regards the provisional general list.

562. Acting on a recommendation submitted by the Commission on Human Rights, the Economic and Social Council adopted decision 1978/22 of 5 May 1978, in which it approved the decision that the Special Rapporteur of the Sub-Commission for the study on 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 should be invited to present his report to the General Assembly, and

[954] E/CN.4/Sub.2/404.
[955] E/CN.4/Sub.2/405; updated report.
[956] UNESCO, General Conference (16), vol. I, resolutions, pp. 135-141.
[957] See also GA resolutions 3391 (XXX), 31/40 and 32/18.
[958] E/CN.4/Sub.2/336.
[959] E/CN.4/Sub.2/383 and E/CN.4/Sub.2/415.
[960] Commission on Human Rights resolution 7 (XXXIII).
[961] See also Commission on Human Rights resolution 6 (XXXIV).

that the report should be printed in its final form and be given wide distribution.

563. The General Assembly, in its resolution 33/23 of 29 November 1978, expressed its appreciation for the updated report on 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,[962] and requested the Secretary-General to have the report printed, to arrange for its widest possible dissemination and to transmit it to bodies concerned within the United Nations system.

564. With respect to self-determination in South Africa, the General Assembly, in its resolution 2624 (XXV) of 13 October 1970, called upon all States to take immediate steps to implement fully the provisions of Security Council resolution 282 (1970) requesting all States to strengthen the arms embargo against South Africa. The General Assembly also dealt with the question of an arms embargo against South Africa, inter alia, in resolutions 2775 A (XXVI) of 29 November 1971, 3324 B (XXIX) of 16 December 1974 and 31/6 D of 9 November 1976.

565. In its resolution 2775 E (XXVI) of 29 November 1971 concerning the establishment of Bantustans, the General Assembly condemned the establishment by the Government of South Africa of Bantu homelands (Bantustans) and the forcible removal of the African people of South Africa and Namibia to those areas as a violation of their inalienable rights.[963] The General Assembly declared that the United Nations would continue to encourage and promote a solution to the situation in South Africa through the full application of human rights and fundamental freedoms, including political rights, to all inhabitants of the territory of South Africa as a whole, regardless of race, colour or creed.[964] Subsequently, the General Assembly condemned once again the establishment by the Government of South Africa of so-called Bantustans, inter alia, in resolutions 2923 E (XXVII) of 15 November 1972, 3151 G (XXVIII) of 14 December 1973, 3324 E (XXIX) of 16 December 1974, 3411 D (XXX) of 28 November 1975, 31/6 A of 26 October 1976, 31/34 of 30 November 1976, 32/105 K and 32/105 N of 14 December 1977, 33/24 of 29 November 1978 and 33/183 L of 24 January 1979.

566. On the occasion of the thirtieth anniversary of the United Nations, the General Assembly adopted resolution 3411 C (XXX) of 28 November 1975, in which it proclaimed that the United Nations and the international community had a special responsibility towards the oppressed people of South Africa and their liberation movements, and towards those imprisoned, restricted or exiled for their struggle against apartheid. It also reiterated its determination to devote increasing attention and all necessary resources to coordinate international efforts, in close cooperation with the Organization of African Unity, for the speedy eradication of apartheid in South Africa and the liberation of the South African people.[965]

567. By its resolution 31/6 C of 9 November 1976, entitled "Solidarity with South African political prisoners", the General Assembly, concerned about the brutal massacres in Soweto and other areas of South Africa and the incarceration of schoolchildren and other persons demonstrating against apartheid, commended the heroism and sacrifices of the South African people in their struggle for liberation, and proclaimed 11 October the Day of Solidarity with South African Political Prisoners.

568. At the same session, in resolution 31/6 I of 9 November 1976,[966] entitled "Situation in South Africa", the General Assembly proclaimed that the racist regime of South Africa was illegitimate and had no right to represent the people of South Africa. It reaffirmed that the national liberation movements recognized by the Organization of African Unity—the African National Congress of South Africa and the Pan Africanist Congress of Azania—were the authentic representatives of the overwhelming majority of the South African people. The General Assembly also reaffirmed the legitimacy of the struggle of the oppressed people of South Africa and their liberation movements, by all possible means, for the seizure of power by the people and the exercise of their inalienable right to self-determination, and appealed to all States and organizations to provide all assistance required by the oppressed people of South Africa and their national liberation movements for that purpose. In the same resolution, the General Assembly declared that the situation in South Africa constituted a grave threat to peace, requiring action under Chapter VII of the Charter of the United Nations. It also condemned the racist regime of South Africa for its acts of aggression against neighbouring independent African States which had assisted the South African national liberation movements, and invited all Governments to provide those States, at their request, with all necessary assistance for defence against aggression. It further proclaimed 16 June the International Day of Solidarity with the Struggling People of South Africa and called upon Member States to commemorate the Day in the most fitting way.

569. In its resolution 31/6 J of 9 November 1976, the General Assembly recommended to all Governments, organizations and individuals the Programme of Action against Apartheid annexed to the resolution, in order to assist the people of South Africa in their struggle for the total eradication of apartheid and the exercise of the right of self-determination by all the people irrespective of race, colour and creed.

570. With respect to self-determination in Namibia, the General Assembly, at its twenty-fifth session, adopted resolution 2678 (XXV) of 9 December 1970, in which it condemned the Government of South Africa for its persistent refusal to comply with the decisions of the Security Council and the General Assembly and to withdraw from the Territory. The Assembly also endorsed the measures taken by the United Nations Council for Namibia with a view to the issuance of identity certificates and travel documents to Namibians. It further requested the Council to continue to perform the functions entrusted to it by the General Assembly, including consultation, in Africa or at United Nations Headquarters, with the representatives of the Namibian people and of the Organization of African Unity.

571. At the same session, in its resolution 2679 (XXV) of 9 December 1970, the General Assembly decided that a comprehensive United Nations Fund for Namibia should be established. It also requested the Secretary-General to

[962]E/CN.4/Sub.2/383/Rev. 1.
[963]GA resolution 2775 E (XXVI), para. 1.
[964]Ibid., para. 2.
[965]GA resolution 3411 C (XXX), para. 2.
[966]See also GA resolutions 32/105 K and 33/183 L.

make a detailed study and report to it on the development, planning, execution and administration of a comprehensive programme of assistance to Namibians in various fields.

572. At its twenty-sixth session, the General Assembly, in its resolution 2871 (XXVI) of 20 December 1971, entitled "Question of Namibia", welcomed the advisory opinion of the International Court of Justice of 21 June 1971,[967] noted with appreciation the recognition by a large number of States of the identity certificates and travel documents issued to Namibians by the United Nations Council for Namibia, and once again called upon all other States which had not yet done so to recognize those documents. It also urged the Secretary-General, in view of the recommendation of the United Nations Council for Namibia, to undertake the necessary consultations to nominate as soon as possible a full-time United Nations Commissioner for Namibia.

573. At the same session, in its resolution 2872 (XXVI) of 20 December 1971, entitled "United Nations Fund for Namibia", the General Assembly, having examined the report of the Secretary-General on the development, planning, execution and administration of a comprehensive programme of assistance to Namibians in various fields as well as of the conclusions and recommendations contained therein,[968] reaffirmed its previous decision to establish a United Nations Fund for Namibia and requested the Secretary-General to undertake a study of the economic, social and cultural needs of Namibia, with a view to the formulation of a contingency plan of coordinated international and technical assistance, to be implemented in Namibia following the withdrawal of South Africa from the Territory.

574. At its twenty-seventh session, the General Assembly, by its resolution 3031 (XXVII) of 18 December 1972, recalled its earlier resolutions and the advisory opinion of the International Court of Justice of 21 June 1971, and once again called upon the Government of South Africa to withdraw forthwith from the international Territory of Namibia. The General Assembly invited the Security Council to take effective measures to secure the withdrawal by South Africa of its illegal administration from Namibia and to enable the people of Namibia to exercise their right to self-determination. It also decided to enlarge the membership of the United Nations Council for Namibia and requested its President to nominate additional members. It further requested the Secretary-General to take effective steps to publicize as widely as possible the work of the United Nations on the question of Namibia, and urged him to undertake the necessary consultations to nominate as soon as possible a full-time United Nations Commissioner for Namibia. At its 2205th plenary meeting, on 18 December 1973, the General Assembly, on the proposal of the Secretary-General,[969] appointed a United Nations Commissioner for Namibia for a period of one year, with effect from 1 January 1974. The appointment was extended for several further one-year terms.

575. At its twenty-ninth session, the General Assembly, by its resolution 3295 VII (XXIX) of 13 December 1974, requested its President to nominate additional members to the United Nations Council for Namibia with a view to ensuring a broader representation in the Council.

576. At the same session, in its resolution 3296 (XXIX) of 13 December 1974, the General Assembly endorsed the decision of the United Nations Council for Namibia[970] to establish an Institute for Namibia in Lusaka to enable Namibians to undertake research, training, planning and related activities, with special reference to the struggle for the freedom of their country and the establishment of an independent State and, to that end, invited Governments to make available adequate financial contributions to the United Nations Fund for Namibia to finance the cost of setting up and running the Institute. The General Assembly also called upon all specialized agencies and other organizations within the United Nations system to assist the Institute, in particular by providing specialists, lecturers and researchers. It further requested Member States to give consideration to the employment of Namibians in their countries.

577. At its thirtieth session, the General Assembly, by its resolution 3399 (XXX) of 26 November 1975, decided that free national elections should be held in Namibia as a matter of urgency, under the direct supervision and control of the United Nations. It also requested all Member States to take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia, enacted by the United Nations Council for Namibia on 27 September 1974,[971] and such other measures as might be necessary to assist in the protection of the national resources of Namibia. It further decided to make adequate budgetary provision for the implementation of the Decree.

578. At its thirty-first session, in its resolution 31/145 of 17 December 1976, the General Assembly decided that an International Conference in Support of the Peoples of Namibia and Zimbabwe should be held during 1977 for the purpose of mobilizing worldwide support for and assistance to the peoples of those Territories in their struggle for self-determination and independence. It also requested the Secretary-General to organize the Conference at Maputo, welcoming the fact that the Government of Mozambique was prepared to hold the Conference.

579. At the same session, the General Assembly adopted resolution 31/147 of 20 December 1976, in which it requested the United Nations Council for Namibia to authorize the United Nations Commissioner for Namibia to appoint a resident representative of the Commissioner in Botswana in order to enhance the effectiveness of assistance to Namibians by the Council. By its resolution 31/153 of 20 December 1976, the General Assembly decided to launch, in support of the nationhood of Namibia, a comprehensive assistance programme within the United Nations system, covering both the current period of struggle for independence and the initial years of independence. It also called upon the United Nations Council for Namibia to elaborate, in consultation with the South West Africa People's Organization (SWAPO), the guidelines and policies for such a programme, to be known as the Nationhood Programme for Namibia, and to direct and coordinate the implementation of the Programme. It further invited all

[967] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971*, p. 16.
[968] A/8473.
[969] A/9465.
[970] A/9624/Add. 1, para. 73.
[971] Ibid., para. 84.

States, the specialized agencies and other organizations and bodies within the United Nations system to participate in the planning and implementation of the Programme.

580. At its thirty-second session, the General Assembly adopted resolution 32/9 D of 4 November 1977, in which it declared that the decision of South Africa to annex Walvis Bay was an act of colonial expansion in violation of the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514 (XV) and that such annexation was illegal, null and void. The Assembly also endorsed the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia,[972] adopted by the International Conference in Support of the Peoples of Zimbabwe and Namibia, held at Maputo in May 1977, and commended to Member States the Programme of Action for their consideration and action.[973]

581. At the same session, in its resolution 32/9 G of 4 November 1977, entitled "Intensification and coordination of United Nations action in support of Namibia", the General Assembly called upon those States which had not yet done so to comply with the relevant provisions of its resolutions and of the Security Council resolutions concerning Namibia as well as the advisory opinion of the International Court of Justice of 21 June 1971. It once again requested all Member States to take all appropriate measures to ensure the full application of, and compliance with, the provisions of Decree No. 1 for the Protection of the Natural Resources of Namibia.[974] It also requested the Secretary-General to make adequate financial appropriations to facilitate the continued implementation of Decree No. 1 during the biennium 1978-1979.

582. At its ninth special session devoted to the question of Namibia, the General Assembly, by its resolution S - 9/2 of 3 May 1978, adopted the Declaration on Namibia and Programme of Action in Support of Self-Determination and National Independence for Namibia. In the Declaration, the General Assembly, inter alia, reaffirmed the territorial integrity of the Territory, the inalienable right of its people to freedom and independence in a united Namibia, the responsibility of the United Nations over the Territory until genuine self-determination and national independence, and the mandate given to the United Nations Council for Namibia as the legal Administering Authority until independence. In the Programme of Action, the General Assembly reaffirmed that, at the current decisive stage in the struggle of the Namibian people, the international community had to take definitive action to ensure the complete and unconditional withdrawal of South Africa from the Territory and thus eliminate the dangerous threat to international peace and security created by South Africa; to that end, it strongly urged the Security Council to take the most vigorous measures, including sanctions provided for under Chapter VII of the Charter of the United Nations, particularly comprehensive economic sanctions, an oil embargo and an arms embargo, as well as to prevent South Africa from acquiring or developing nuclear weapons and from exploding nuclear devices, all of which also endangered international peace and security.

583. At its thirty-third session, the General Assembly adopted resolution 33/182 B of 21 December 1978, in which it condemned the South African regime for unilaterally holding elections in Namibia from 4 to 8 December 1978, in contravention and defiance of Security Council resolutions, and declared those elections and their results to be null and void and of no consequence to the attainment of genuine independence for Namibia. It also solemnly declared that South Africa's non-compliance with Security Council resolutions constituted a serious threat to international peace and security and necessitated the imposition of effective sanctions under Chapter VII of the Charter of United Nations.[975] It requested the Security Council to consider as a matter of urgency further appropriate action under the Charter and decided, if the Council should be unable to act effectively, to consider the situation further and to take all necessary measures in conformity with its relevant resolutions and the Charter.

584. At the same session, the General Assembly, by its resolution 33/182 C of 21 December 1978, proclaimed 1979 the International Year of Solidarity with the People of Namibia and requested the Secretary-General, after consultation with the United Nations Council for Namibia to publish a yearbook on Namibia as the authoritative source on the question since it terminated the mandate exercised by South Africa over the Territory.

585. With respect to self-determination in Southern Rhodesia, the General Assembly, by its resolution 2652 (XXV) of 3 December 1970, declared illegal all measures taken by the racist minority regime, including the purported assumption of republican status, and drew the attention of the Security Council to the gravity of the situation and to the urgent necessity of applying all the measures laid down in Article 41 of the Charter of the United Nations.

586. In its resolution 2796 (XXVI) of 10 December 1971, the General Assembly noted with deep regret the decision of the International Olympic Committee to permit the participation in the XXth Olympic Games of the so-called National Olympic Committee of Rhodesia, and called upon all States to take all appropriate steps to ensure the exclusion of that Committee from participating in the XXth Olympic Games.

587. At the same session, by its resolution 2877 (XXVI) of 20 December 1971, the General Assembly rejected the proposals for a settlement agreed upon by the Government of the United Kingdom of Great Britain and Northern Ireland and the racist minority regime in Salisbury as constituting a flagrant violation of the inalienable right of the African people of Zimbabwe to self-determination and independence. It also reaffirmed that no settlement which did not conform strictly to the principle of "no independence before majority rule" on the basis of one man, one vote, would be acceptable.

588. The General Assembly also dealt with the question of Southern Rhodesia, inter alia, in its resolutions 2945 (XXVII) and 2946 (XXVII) of 7 December 1972, 3115 (XXVIII) and 3116 (XXVIII) of 12 December 1973, 3297 (XXIX) and 3298 (XXIX) of 13 December 1974, 3396 (XXX) and 3397 (XXX) of 21 November 1975, 31/145 of 17 December 1976, 32/116 A and B of 16 December 1977, and 33/38 A and B of 13 December 1978.

[972] A/32/109/Rev. 1 - S/12344/Rev.1, annex V.
[973] See also GA resolution 32/41.
[974] A/9624/Add. 1, para. 84.

[975] See also GA resolution 33/183 H.

589. With respect to self-determination in Territories under Portuguese administration, the General Assembly, in its resolution 2707 (XXV) of 14 December 1970, reaffirmed the inalienable right of the peoples of Angola, Mozambique, Guinea (Bissau) and other Territories under Portuguese domination to self-determination and independence. It strongly condemned the persistent refusal of the Government of Portugal to implement General Assembly resolution 1514 (XV) and all other relevant resolutions of the General Assembly and the Security Council. It called upon the Government of Portugal to apply without further delay to the peoples of the Territories under its domination the principle of self-determination and independence, and refrain from all attacks on, and violations of, the security and territorial integrity of neighbouring sovereign countries. It drew the attention of the Security Council, in view of the further deterioration of the situation in the Territories under Portuguese domination, to the urgent need to consider taking all effective steps to secure the full and speedy implementation by Portugal of General Assembly resolution 1514 (XV) and the resolutions of the Security Council thereto.

590. The General Assembly, by its resolution 3114 (XXVIII) of 12 December 1973, stated that it was deeply disturbed by the reported massacres in Mozambique and convinced of the urgent need for an international investigation. It decided to establish a representative Commission of Inquiry consisting of five members to be appointed by its President after due consultation with Member States. It instructed the Commission of Inquiry to carry out an investigation of reported atrocities, to gather information from all relevant sources, to solicit the cooperation and assistance of the national liberation movement and to report its findings to the General Assembly as soon as possible.[976]

591. In its resolutions 3246 (XXIX) of 29 November 1974 and 3340 (XXIX) of 17 December 1974, the General Assembly welcomed the recognition by the Government of Portugal of the right of all the peoples under its colonial administration to self-determination and independence, and the initiatives already taken in that regard. The General Assembly also urged the Government of Portugal to continue to ensure that the process of decolonization was accomplished without delay. In its resolution 3294 (XXIX) of 13 December 1974, the General Assembly noted with particular satisfaction that, as a result of the consultations held between the Government of Portugal and the national liberation movements of the Territories concerned: (a) Mozambique would accede to independence on 25 June 1975;[977] (b) São Tomé and Príncipe would accede to independence on 12 July 1975;[978] and (c) provisional governments would be established in Angola and Cape Verde with a view to the attainment by those Territories during 1975 of the goals of self-determination and independence.[979] The General Assembly called upon the Government of Portugal to pursue the necessary steps to ensure the full implementation of all resolutions of the United Nations relating to the Territories concerned. It also invited all Governments to increase their efforts with a view to contributing to the acceleration of the process of decolonization in those Territories.

592. With respect to self-determination in Spanish Sahara, the General Assembly, in its resolution 2711 (XXV) of 14 December 1970, reaffirmed the inalienable right of the people of the Sahara to self-determination and expressed its regret that it had not yet been possible for the consultations to take place which the administering Power was to conduct with the Governments concerned in connection with the holding of a referendum in the Territory. It repeated its invitation to the administering Power to determine at the earliest possible date, in conformity with the aspirations of the indigenous people of the Territory and in consultation with the Governments of Mauritania and Morocco and any other interested party, the procedures for the holding of a referendum under United Nations auspices with a view to enabling the indigenous population of the Sahara to exercise freely its right to self-determination.

593. The General Assembly, by its resolution 3292 (XXIX) of 13 December 1974, noted that during the discussion on the question of Spanish Sahara at the Fourth Committee, a legal difficulty had arisen over the status of the Territory at the time of its colonization by Spain. The Assembly decided, in order to continue the discussion of the question at its thirtieth session, to request the International Court of Justice to give an advisory opinion on the following questions:

I. Was Western Sahara (Rio de Oro and Sakiet El Hamra) at the time of colonization by Spain a territory belonging to no one (*terra nullius*)?

If the answer to the first question was in the negative,

II. What were the legal ties between this territory and the Kingdom of Morocco and the Mauritanian entity?

The General Assembly also urged the administering Power to postpone the referendum it had contemplated holding in Western Sahara until the General Assembly decided on the policy to be followed in order to accelerate the decolonization process in the Territory in the best possible conditions, in the light of the advisory opinion to be given by the International Court of Justice.

594. By its resolution 3458 A (XXX) of 10 December 1975, the General Assembly took note with appreciation of the advisory opinion of the International Court of Justice concerning Western Sahara,[980] and endorsed the conclusion of the United Nations Visiting Mission to Spanish Sahara in 1975 that measures should be taken to enable all Saharans originating in the Territory to decide on their future in complete freedom and in an atmosphere of peace and security, in accordance with resolution 1514 (XV).[981] The General Assembly requested the Government of Spain to take immediately all necessary measures, in consultation with all the concerned and interested parties, so that all Saharans originating in the Territory might exercise fully and freely, under United Nations supervision, their inalienable right to self-determination. It also requested the Secretary-General, in consultation with the Government of Spain and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, to make the necessary arrangements for the supervision of the Saharans' act of self-determination. Subse-

[976] See also para. 76 above.
[977] A/9769, annex I.
[978] A/9885.
[979] Ibid.

[980] *Western Sahara, Advisory Opinion, I.C.J. Reports 1975*, p. 12.
[981] A/10023/Rev.1, chap. XIII, annex.

quently, the General Assembly adopted on the question of Spanish Sahara, inter alia, resolutions 31/45 of 1 December 1976, 32/22 of 28 November 1977 and 33/31 A and B of 13 December 1978.

595. With respect to self-determination in Palestine, the General Assembly, at its twenty-sixth session, adopted resolution 2792 D (XXVI) of 6 December 1971, in which it recognized that the problem of the Palestinian Arab refugees in the Near East had arisen from the denial of their inalienable rights under the Charter of United Nations and the Universal Declaration of Human Rights. The General Assembly also recognized that the people of Palestine was entitled to equal rights and self-determination, and declared that the full respect for its inalienable rights was an indispensable element in the establishment of a just and lasting peace in the Middle East.

596. At its twenty-ninth session, by its resolution 3236 (XXIX) of 22 November 1974, the General Assembly reaffirmed the inalienable rights of the Palestinian people in Palestine, including the right to self-determination without external interference and the right to national independence and sovereignty. The General Assembly also reaffirmed the inalienable right of the Palestinians to return to their homes and property from which they had been displaced and uprooted, and called for their return. It further emphasized that full respect for and the realization of those inalienable rights were indispensable for the solution of the question of Palestine. In the same resolution, the General Assembly recognized the right of the Palestinian people to regain its rights by all means in accordance with the purposes and principles of the Charter of the United Nations, and appealed to all States and international organizations to extend their support to the Palestinian people in its struggle to restore its rights, in accordance with the Charter. It also requested the Secretary-General to establish contacts with the Palestine Liberation Organization on all matters concerning the question of Palestine.

597. At its thirtieth session, the General Assembly, in its resolution 3376 (XXX) of 10 November 1975, reaffirmed its resolution 3236 (XXIX) of 22 November 1974 and expressed its grave concern that no progress had been achieved since the adoption of that resolution towards:

(*a*) The exercise by the Palestinian people of its inalienable rights in Palestine, including the right to self-determination without external interference and the right to national independence and sovereignty;

(*b*) The exercise by Palestinians of their inalienable right to return to their homes and property from which they have been displaced and uprooted.

The General Assembly decided to establish a Committee on the Exercise of the Inalienable Rights of the Palestinian People composed of 20 Member States to consider and recommend a programme of implementation, designed to enable the Palestinian people to exercise its rights. It also authorized the Committee, in the fulfilment of its mandate, to establish contact with, and to receive and consider suggestions and proposals from, any State and intergovernmental regional organization and the Palestine Liberation Organization.

598. At its thirty-first session, by its resolution 31/20 of 24 November 1976, entitled "Question of Palestine", the General Assembly expressed its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly, took note of the report of the Committee[982] and endorsed the recommendations contained therein, as a basis for the solution of the question of Palestine and the establishment of a just and lasting peace in the Middle East.

599. At the same session, in its resolution 31/62 of 9 December 1976,[983] the General Assembly called for the early convening of the Peace Conference on the Middle East, under the auspices of the United Nations and the co-chairmanship of the Union of Soviet Socialist Republics and the United States of America, with the participation of all the parties concerned, including the Palestine Liberation Organization.

600. With respect to self-determination in East Timor, the General Assembly, at its thirtieth session, adopted resolution 3485 (XXX) of 12 December 1975, in which it called upon all States to respect the inalienable right of the people of Portuguese Timor to self-determination, freedom and independence and to determine their future political status 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. The Assembly also deplored the military intervention of the armed forces of Indonesia in Portuguese Timor and called upon the Government of Indonesia to desist from further violation of the territorial integrity of Portuguese Timor and to withdraw its armed forces without delay. It further drew the attention of the Security Council to the critical situation in the Territory and recommended that it take urgent action to protect its territorial integrity and the inalienable right of its people to self-determination. At the same time, the General Assembly requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a fact-finding mission to the Territory as soon as possible.

601. At its thirty-first session, the General Assembly adopted resolution 31/53 of 1 December 1976, in which it recalled its resolution 3485 (XXX) of 12 December 1975 and deplored the persistent refusal of the Government of Indonesia to comply with the provisions of that resolution and Security Council resolutions 384 (1975) and 389 (1976). It rejected the claim that East Timor had been integrated into Indonesia, inasmuch as the people of the Territory had not been able to exercise freely their right to self-determination and independence, and again called upon the Government of Indonesia to withdraw all its forces from the Territory. It once again drew the attention of the Security Council to the situation in the Territory and recommended that it should take all effective steps for the immediate implementation of Council resolutions 384 (1975) and 389 (1976). It further requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to keep the situation under active consideration, and to dispatch to the Territory as soon as possible a visiting mission with a view to the full and speedy implementation of the Declaration.

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[982] A/31/35.

[983] See also GA resolutions 32/20 and 33/29.

602. The General Assembly also dealt with the question of East Timor in its resolutions 32/34 of 28 November 1977 and 33/39 of 13 December 1978.

(iii) *Rights of minorities*

603. The Economic and Social Council, in its resolution 1588 (L) of 21 May 1971, recommended that the General Assembly urge all States concerned to accelerate, with the technical and financial assistance of competent organs of the United Nations and specialized agencies, the economic and social development of their minority groups with a view to eliminating de facto discrimination occasioned by their low standard of living.

604. At its twenty-fourth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 6 (XXIV) of 18 August 1971, in which it decided to appoint a Special Rapporteur from among its members to carry out a study on the implementation of the principles set out in article 27 of the International Covenant on Civil and Political Rights, with special reference to analysing the concept of minority, taking into account the ethnic, religious and linguistic factors and considering the position of ethnic, religious and linguistic groups in multinational societies.

605. At its thirtieth session, the Sub-Commission considered the report by the Special Rapporteur on the rights of persons belonging to ethnic, religious and linguistic minorities.[984] In its resolution 5 (XXX) of 31 August 1977, the Sub-Commission endorsed the conclusions and recommendations of the Special Rapporteur and requested him to present them to the Commission on Human Rights. It also recommended that the Commission consider drafting a declaration on the rights of members of minorities, within the framework of the principles set forth in article 27 of the International Covenant on Civil and Political Rights. At the same session, in its resolution 6 (XXX) of 31 August 1977, the Sub-Commission noted that the report of the Special Rapporteur had found that there were Gypsies (Roma) within the borders of many countries, and appealed to those countries to accord to those people, if they had not yet done so, all the rights that were enjoyed by the rest of the population.

606. By its resolution 14 (XXXIV) of 6 March 1978, the Commission on Human Rights requested the Secretary-General to transmit the documents concerning the rights of persons belonging to national, ethnic, religious and linguistic minorities to the Governments of Member States for their comments. It also decided to consider the item again at its next session.

607. In its resolution 1978/16 of 5 May 1978, the Economic and Social Council expressed its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for his valuable study on the rights of persons belonging to national, ethnic, religious and linguistic minorities,[985] and requested the Secretary-General to arrange for the printing of the study and to disseminate it as widely as possible.

(iv) *Other rights*

608. With respect to mentally retarded persons, the Economic and Social Council, by its resolution 1585 (L) of 21 May 1971, decided to transmit to the General Assembly for adoption the draft Declaration on the Rights of Mentally Retarded Persons.

609. At its twenty-sixth session, the General Assembly adopted resolution 2856 (XXVI) of 20 December 1971, in which it proclaimed the Declaration on the Rights of Mentally Retarded Persons.[986]

610. With respect to disabled persons, the General Assembly, at its thirtieth session, adopted resolution 3447 (XXX) of 9 December 1975 in which it proclaimed the Declaration on the Rights of Disabled Persons.[987]

611. At its thirty-first session, the General Assembly, in its resolution 31/82 of 13 December 1976, recommended that all Member States, international organizations and agencies concerned should take account of the rights and principles laid down in the Declaration on the Rights of Disabled Persons in establishing their plans and programmes. It also requested the Secretary-General to inform it of the measures adopted by Member States and by the international organizations and agencies concerned with a view to ensuring the effective implementation of the Declaration.

612. At the same session, in its resolution 31/123 of 16 December 1976, the General Assembly proclaimed the year 1981 International Year for Disabled Persons, with the theme of full participation, specified the objectives of the International Year, invited all Member States and the organizations concerned to give their attention to the establishment of measures and programmes to implement the objectives of the International Year, and requested the Secretary-General to elaborate a draft programme.

613. At its thirty-second session, the General Assembly adopted resolution 32/133 of 16 December 1977, in which it approved the proposals of the Secretary-General contained in his report for the preparatory work of the International Year for Disabled Persons for the period 1978-1979.[988] The Assembly authorized the Secretary-General to undertake the measures required to implement those proposals and decided to establish an Advisory Committee for the International Year for Disabled Persons, composed of the representatives of 15 Member States to be appointed by the Chairman of the Third Committee with the concurrence of the regional groups, and with the task of considering and consulting with Member States and specialized agencies on the draft programme prepared by the Secretary-General. The Assembly also requested the Secretary-General to convene the Advisory Committee no later than March 1979 at United Nations Headquarters and to submit to it the report on the meeting. It further encouraged Member States and the organizations concerned to take specific action in the preparation of the observance of the International Year.

614. At its thirty-third session, the General Assembly, by its resolution 33/170 of 20 December 1978, noted that it had not yet been possible to proceed to the appointment of the members of the Advisory Committee for the International Year for Disabled Persons, decided that the Advisory Committee should be composed of the representatives of 23 Member States, and requested the Secretary-General to ensure that the necessary information activities for the

[984] E/CN.4/Sub.2/384 and Add. 1-7.
[985] Ibid.
[986] See also paras. 97-101 above.
[987] See also paras. 129-133 above.
[988] A/32/288.

International Year were initiated, starting from 1 January 1979, and to make the requisite financial provisions.

615. With respect to aliens, the Economic and Social Council, on the recommendation of the Commission on Human Rights, adopted resolution 1790 (LIV) of 18 May 1973, in which it requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider as a matter of priority the problem of the applicability of existing international provisions for the protection of human rights to individuals who were not citizens of the country in which they lived, as well as what measures in the field of human rights, including the possibility of a declaration, would be desirable, and to submit appropriate recommendations to the Commission on Human Rights.

616. At its twenty-seventh session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 10 (XXVII) of 21 August 1974, decided to retain on its agenda the item entitled "The problem of the applicability of existing international provisions for the protection of human rights to individuals who are not citizens of the country in which they live". The Sub-Commission entrusted a Special Rapporteur with the task of preparing, with all possible assistance by the Secretariat, a report supplementing the study contained in document E/CN.4/Sub.2/335, and to include an analysis of contemporary international, regional, multilateral and bilateral instruments relating to the human rights of individuals who were not citizens of the country in which they lived, as well as a critical enumeration of measures which might be desirable, including the possibility of a declaration on the subject matter.

617. At its thirty-first session, the Sub-Commission considered the study by the Special Rapporteur on the problem of the applicability of existing international provisions for the protection of human rights to individuals who were not citizens of the country in which they lived.[989] In its resolution 9 (XXXI) of 13 September 1978, it requested the Special Rapporteur to present to the Commission on Human Rights the study together with the revised draft declaration contained in annex I to the study. It also requested the Secretary-General to draw recommendations 27 and 28 contained in the study to the attention of the Economic and Social Council and the Human Rights Committee, which had been established under the International Covenant on Civil and Political Rights. It further requested the Secretary-General to transmit recommendation 24 of the study, concerning the approximation and simplification of the laws relating to acquisition of citizenship, to the International Institute for the Unification of Private Law (UNIDROIT).

618. With respect to indigenous populations, the Economic and Social Council, by its resolution 1589 (L) of 21 May 1971, noted that those populations often encountered racial prejudice and discrimination and that sometimes the special measures taken by the authorities to protect their unique culture and identity might, with the passage of time, become unnecessary or excessive and might therefore also be discriminatory in character. The Council considered that the international community must devote particular attention to the problem if it was to succeed in its endeavour to eliminate all forms of discrimination. It appealed to States concerned, if they had not yet done so, to take the appropriate legislative, administrative and other measures to protect the indigenous populations and to prevent any discrimination against them. The Council also authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to make a complete and comprehensive study of the problem of discrimination against indigenous populations and to suggest the necessary national and international measures for eliminating such discrimination, in cooperation with the other organs and bodies of the United Nations and with the competent international organizations.

619. The Sub-Commission, in its resolution 8 (XXIV) of 18 August 1971, decided to appoint a Special Rapporteur to carry out the complete and comprehensive study of the problem of discrimination against indigenous populations.

620. With respect to the protection of women and children in emergency or wartime, the Economic and Social Council, acting on a recommendation submitted by the Commission on the Status of Women, adopted resolution 1515 (XLVIII) of 28 May 1970, in which it requested the General Assembly to consider the possibility of drafting a declaration on the protection of women and children in emergency or wartime.

621. On the recommendation of the Commission on the Status of Women, the Economic and Social Council adopted resolution 1687 (LII) of 2 June 1972, in which it requested the Secretary-General to prepare and submit to the Commission on the Status of Women every two sessions reports on the condition of women and children in emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence.

622. On the recommendation of the Economic and Social Council, the General Assembly adopted resolution 3318 (XXIX) of 14 December 1974, in which it solemnly proclaimed the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, and called for the strict observance of the Declaration by all Member States.[990]

623. With respect to human rights in armed conflicts, the General Assembly, at its twenty-fifth session, by its resolution 2675 (XXV) of 9 December 1970, adopted the Basic Principles for the Protection of Civilian Populations in Armed Conflicts, in which the Assembly affirmed the following basic principles without prejudice to their future elaboration within the framework of the progressive development of the international law of armed conflict: fundamental human rights continue to apply fully in situations of armed conflict; in the conduct of military operations during armed conflicts, a distinction must be made at all times between persons actively taking part in the hostilities and civilian populations, every effort should be made to spare civilian populations from the ravages of war, and all necessary precautions should be taken to avoid injury, loss or damage to civilian populations; civilian populations as such should not be the object of military operations; dwellings and other installations used by civilian populations, as well as places or areas designated for the sole protection of civilians such as hospital zones or similar refuges, should not be the object of military operations; civilian populations, or individual members thereof, should not be the object of reprisals, forcible transfers or other assaults on their integrity; and the provision of international relief to civil-

[989] E/CN.4/Sub.2/392 and Corr. 1.

[990] See also paras. 121-124 above.

ian populations is in conformity with the humanitarian principles of international instruments in the field of human rights.

624. At the same session, the General Assembly, in its resolution 2677 (XXV) of 9 December 1970, noted with appreciation the two reports of the Secretary-General on respect for human rights in armed conflicts,[991] and welcomed the decision of the International Committee of the Red Cross to convene at Geneva, from 24 May to 12 June 1971, a conference on the reaffirmation and development of international humanitarian law applicable to armed conflicts. The Assembly expressed the hope that the conference would consider further what development was required in existing humanitarian laws applicable to armed conflicts, and that it would make specific recommendations in that regard for consideration by Governments. The Assembly requested the Secretary-General to transmit his reports and the comments of Governments thereon to the International Committee of the Red Cross for consideration. It also requested the Secretary-General to report on the results of the conference and on any other relevant developments.

625. At its twenty-sixth session, the General Assembly, in its resolutions 2852 (XXVI) and 2853 (XXVI) of 20 December 1971, noted with appreciation the report of the Secretary-General on the comprehensive discussions undertaken at the first session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.[992] The Assembly welcomed the decision of the International Committee of the Red Cross to convene in 1972 a second session of the Conference of Government Experts with broader participation. It also expressed the hope that the second session would result in specific conclusions and recommendations for action at the government level, including, as appropriate, draft protocols to the Geneva Conventions of 1949, for subsequent consideration. It called upon all States to disseminate information widely and to provide instruction concerning human rights in armed conflicts as well as to take all the necessary measures to ensure full observance by their own armed forces of humanitarian rules applicable in armed conflicts. It further requested the Secretary-General to encourage the study and teaching of principles of respect for human rights applicable in armed conflicts.

626. At its twenty-seventh session, the General Assembly, in its resolution 3032 (XXVII) of 18 December 1972, noted with appreciation the report of the Secretary-General[993] and the report prepared by the International Committee of the Red Cross on the second session of the Conference of Government Experts on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.[994] The Assembly welcomed the readiness of the Swiss Federal Council to convene a diplomatic conference on the matter, and invited all Governments and the International Committee of the Red Cross to continue to seek, through consultations, to achieve a rapprochement in the positions of Governments to ensure that the diplomatic conference envisaged would adopt rules which would mark substantial progress on fundamental legal issues connected with modern armed conflicts and which would contribute significantly to the alleviation of the suffering brought about by such conflicts. The Assembly also requested the Secretary-General to report to it on relevant developments concerning human rights in armed conflicts and to prepare, as soon as possible, a survey of existing rules of international law concerning the prohibition or restriction of use of specific weapons.

627. At its twenty-eighth session, the General Assembly, by its resolution 3102 (XXVIII) of 12 December 1973, welcomed the survey prepared by the Secretariat on existing rules of international law concerning the prohibition or restriction of use of specific weapons.[995] It expressed its appreciation to the Swiss Federal Council for convoking in 1974 the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts and to the International Committee of the Red Cross for the extensive work it had performed in preparing the draft Additional Protocols to the Geneva Conventions of 1949. At the same time, the General Assembly urged that the national liberation movements recognized by the various regional intergovernmental organizations concerned should be invited to participate in the Diplomatic Conference as observers in accordance with the practice of the United Nations. It also urged all participants in the Diplomatic Conference to do their utmost to reach agreement on additional rules which might help to alleviate the suffering brought about by armed conflicts and to protect non-combatants and civilian objects in such conflicts. It further urged that instruction concerning international humanitarian rules should be provided to armed forces and information concerning the same rules should be given to civilians everywhere, with a view to securing their strict observance.

628. At its twenty-ninth session, the General Assembly, in its resolution 3319 (XXIX) of 14 December 1974, noted the report of the Secretary-General on the first session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, held at Geneva in 1974, and on the Conference of Government Experts on Weapons That May Cause Unnecessary Suffering or Have Indiscriminate Effects, convoked by the International Committee of the Red Cross at Lucerne in 1974.[996] The General Assembly welcomed the decision by the Diplomatic Conference to invite national liberation movements recognized by the regional intergovernmental organizations concerned to participate in its work. It also expressed its appreciation to the Swiss Federal Council for convoking the second session of the Diplomatic Conference in 1975 and to the International Committee of the Red Cross for its readiness to convoke in 1975 another Conference of Government Experts. It further requested the Secretary-General to report to it on relevant developments concerning human rights in armed conflicts, in particular on the proceedings and results of the 1975 session of the Diplomatic Conference.

629. At its thirty-second session, the General Assembly adopted resolution 32/44 of 8 December 1977, in which it welcomed the successful conclusion of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Con-

[991] A/7720 and A/8052.
[992] A/8370 and Add. 1.
[993] A/8781 and Corr. 1.
[994] *Report on the Work of the Conference* (Geneva, July 1972).
[995] A/9215.
[996] A/9669 and Add.1.

flicts which had resulted in two Protocols Additional to the Geneva Conventions of 12 August 1949, adopted by the Diplomatic Conference on 8 June 1977, namely, Protocol I relating to the protection of victims of international armed conflicts[997] and Protocol II relating to the protection of victims of non-international armed conflicts.[998] At the same time, the General Assembly noted the recommendation, approved by the Diplomatic Conference, that a special conference should be called on the issue of the prohibition or restriction of use for humanitarian reasons of specific conventional weapons. It urged States to consider without delay the matter of signing and ratifying or acceding to the two Protocols Additional to the Geneva Conventions. It also appealed to States which had not done so to become parties to the Geneva Conventions. It further called upon all States to take effective steps for the dissemination of humanitarian rules applicable in armed conflicts.

630. At the same session, in its resolution 32/152 of 19 December 1977,[999] the General Assembly decided to convene in 1979 a United Nations conference with a view to reaching agreements on prohibitions or restrictions of the use of specific conventional weapons, including those which might be deemed to be excessively injurious or to have indiscriminate effects, taking into account humanitarian and military considerations, and on the question of a system of periodic review of the matter and for consideration of further proposals. The Assembly also decided to convene in 1978 a United Nations preparatory conference for the conference mentioned above[1000] and requested the Secretary-General to transmit invitations to all States and parties invited to attend the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.

631. With respect to consumer protection, the Economic and Social Council, by its decision 204 (ORG-77) of 14 January 1977, requested the Administrative Committee on Coordination to prepare, for its consideration, a brief report on the activities of the United Nations system on consumer protection.

632. In its resolution 2111 (LXIII) of 4 August 1977, the Economic and Social Council took note of the report of the Administrative Committee on Coordination entitled "Activities of the United Nations system related to consumer protection".[1001] The Council recognized the need to coordinate the work of the United Nations system in respect of the protection of individual consumers, and requested the Secretary-General to prepare and submit to it, in consultation with the agencies, organizations and bodies concerned within the United Nations system and bearing in mind the studies already made and under preparation, a survey illustrative of the range of institutional and legal arrangements existing in the field of individual consumer protection at the national level, with a view to identifying needs for cooperation and assistance in the field that might be provided at their request to the countries concerned, particularly developing countries.

633. The Economic and Social Council, in its resolution 1978/42 of 1 August 1978, took note of the report of the Secretary-General entitled "Consumer protection: a survey of institutional arrangements and legal measures".[1002] The Council requested the Secretary-General to prepare and submit to it, in the light of information already provided and of additional information, and bearing in mind the discussion during its second regular session of 1978, a comprehensive report incorporating options for action on consumer protection and taking into account in particular the specific problems and priorities of developing countries and the possible means for technical cooperation and assistance in the field.

3. Question of the Meaning of the Expression "For All Without Distinction as to Race, Sex, Language, or Religion"

634. On 30 November 1973, the General Assembly adopted and opened for signature and ratification the International Convention on the Suppression and Punishment of the Crime of Apartheid, annexed to its resolution 3068 (XXVIII).[1003] Article 2 states that, "For the purpose of the present Convention, the term 'the crime of apartheid,' which shall include similar policies and practices of racial segregation and discrimination as practised in southern Africa, shall apply to . . . inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them . . . ." Article 2 also enumerates the inhuman acts of apartheid which are crimes violating the principles of international law, in particular the purposes and principles of the Charter of the United Nations, and constituting a serious threat to international peace and security.[1004]

**4. Question of the Meaning of the Term "Universal"; Territorial Scope of the Provisions Relating to Human Rights

[997] A/32/144, annex I.
[998] Ibid., annex II.
[999] See also GA resolution 33/70.
[1000] In its resolution 33/70, the General Assembly, inter alia, endorsed the decision of the Preparatory Conference to hold another session from 19 March to 12 April 1979 with a view to continuing its preparatory work.
[1001] E/5996.
[1002] E/1978/81.
[1003] See also paras. 102-109 above.
[1004] See para. 103 above.