

"3. Requests the Secretary-General and all interested organs and organizations of the United Nations system also to make effective contributions, utilizing all appropriate research facilities, in order to assist the intergovernmental machinery in its work and requests the Secretary-General to co-ordinate these activities;

"4. Further requests the Secretary-General to report to the intergovernmental machinery, at its first meeting, in the light of the provisions of section I above, on the preparatory work undertaken by the United Nations system in response to General Assembly resolution 31/182 and section III, paragraph 3, of Economic and Social Council resolution 2125 (LXIII);

"5. Invites the Committee on Development Planning in its further consideration of possible elements of a new international development strategy to take into account the provisions of section I of the present resolution, the further work provided for in paragraph 4 of section I above and the studies and research under way or in prospect both inside and outside the United Nations system;

"6. Requests the Economic and Social Council to submit a report to the General Assembly at its thirty-fourth session on the progress made in the preparation of a new international development strategy."

3. At its 63rd meeting, the Committee adopted a draft resolution (A/C.2/33/L.101), entitled "Preparations for an international development strategy for the third United Nations Development decade", which had been submitted to it by Mr. J. Kinsman, Vice-President of the Committee, under agenda item 58. An account of the deliberations of the Committee on this draft resolution may be found in the report of the Committee on agenda item 58 (A/33/527),²⁵ together with the text of the draft resolution (*ibid.*, para. 46, draft resolution I).

4. The representative of the Federal Republic of Germany, on behalf of the sponsors, withdrew draft resolution A/C.2/33/L.10.

²⁵ See *Official Records of the General Assembly, Thirty-third Session, Annexes*, agenda item 58.

DOCUMENT A/33/509

Report of the Third Committee

[Original: Spanish]
[16 December 1978]

Introduction

1. The item entitled "Report of the Economic and Social Council" was included in the provisional agenda of the thirty-third session of the General Assembly in accordance with Article 15, paragraph 2, of the Charter.

2. At its 4th and 5th plenary meetings, on 22 September 1978, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate to the Third Committee chapters II, III (sections B and C, E to H and J), V and VII (section E) of the report of the Economic and Social Council (A/33/3).

3. The Committee considered this item at its 42nd, 55th, 60th to 64th, 69th to 71st, 73rd and 74th meetings, held between 10 November and 12 December 1978. The views expressed by the representatives of Member States on this item are contained in the summary records of those meetings.

4. In connexion with agenda item 12, the Committee had before it the following documents:

(a) The report of the Economic and Social Council (A/33/3 and Add.1 and Corr.1);

(b) A report of the Secretary-General (A/33/163 and Corr.1 (English only)) on assistance to South African student refugees;

(c) A report of the Secretary-General (A/33/219) on regional arrangements for the promotion and protection of human rights;

(d) A note by the Secretary-General (A/33/281) on protection of human rights in Chile;

(e) A report of the Secretary-General (A/33/293) on protection of human rights in Chile;

(f) A note by the Secretary-General (A/33/331) transmitting the report of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile, submitted in accordance with General Assembly resolution 32/118;

(g) A report prepared by Mr. Antonio Cassese, Rapporteur (E/CN.4/Sub.2/412 (vols. I-IV) on the impact of foreign economic aid and assistance on respect for human rights in Chile;

(h) Summary records of the 816th to 818th meetings of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-first session, held at Geneva on 7 and 8 September 1978 (E/CN.4/Sub.2/SR.816-818);

(i) A letter dated 17 November 1978 from the Permanent Representative of Chile to the United Nations addressed to the Secretary-General (A/C.3/33/7).

5. At the 42nd meeting, on 10 November, the Chairman of the Committee drew the attention of delegations to her note with observations on the item (A/C.3/33/L.1/Add.1).

6. At the 60th meeting, on 28 November, the Assistant Secretary-General for Special Political Questions introduced the question of emergency assistance to South African student refugees.

7. At the 42nd meeting, the Director of the Division of Human Rights introduced chapter V, section B (Human rights questions) of the report of the Economic and Social Council.

8. At the same meeting, the Assistant Secretary-General for Social Development and Humanitarian Affairs introduced chapter V, section C (Activities for the advancement of women) of the report.

9. At that meeting, the Executive Director of the United Nations Fund for Drug Abuse Control in-

roduced chapter V, section D (Narcotic drugs) of the report. The Deputy Director of the Division of Narcotic Drugs referred to the question at the 55th meeting, on 24 November.

10. At the 60th meeting, the Director of the Division of Human Rights and the Chairman-Rapporteur of the *Ad Hoc* Working Group on the Situation of Human Rights in Chile introduced that question.

Consideration of draft resolutions

A. DRAFT RESOLUTION A/C.3/33/L.4

11. The Committee had before it a draft resolution (see A/C.3/33/L.4) entitled "Migratory labour in southern Africa", transmitted to the General Assembly for its consideration by virtue of Economic and Social Council decision 1978/59 which stated:

[Same text as draft resolution I in paragraph 65 below, except for the third and fourth preambular paragraphs which stated:

"Noting with satisfaction that the year beginning on 21 March 1978 has been proclaimed International Anti-Apartheid Year,

"Bearing in mind the proposed programme for the International Anti-Apartheid Year,"].

12. At the 74th meeting, on 12 December, the representative of the Philippines proposed that the third preambular paragraph should be amended to read as follows:

"Noting with satisfaction the proclamation of the year beginning on 21 March 1978 and ending on 20 March 1979 as International Anti-Apartheid Year".

13. At the same meeting, the representative of Ghana suggested that the word "proposed" in the fourth preambular paragraph should be deleted.

14. The Committee adopted without a vote the draft resolution as amended by the representatives of Ghana and the Philippines.

B. DRAFT RESOLUTION A/C.3/33/L.75

15. At the 73rd meeting, on 8 December, the representative of Algeria introduced a draft resolution (A/C.3/33/L.75) entitled "Measures to improve the situation and ensure the human rights and dignity of migrant workers", sponsored by Afghanistan, Algeria, Barbados, Burundi, Colombia, Jamaica, Mexico, Romania, Rwanda, Senegal, Spain, Tunisia, Turkey and Yugoslavia, subsequently joined by Jordan, Lesotho, Pakistan, Trinidad and Tobago and Zambia, which read as follows:

[Same text as draft resolution II in paragraph 65 below, except for operative paragraph 7 which stated:

"Requests the Secretary-General to explore with Member States the possibility of drawing up an international convention on the rights of migrant workers;"].

16. At the 74th meeting, the representative of Algeria revised operative paragraph 7, inserting the words "and in co-operation with the United Nations agencies, and in particular the International Labour Organisation" after the words "Member States".

17. At the same meeting the draft resolution was adopted by a recorded vote of 111 to none, with 14 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Spain, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Burma, France, Germany, Federal Republic of, Gabon, Israel, Italy, Ivory Coast, Luxembourg, Netherlands, Saudi Arabia, Singapore, United Kingdom of Great Britain and Northern Ireland, United States of America.

C. DRAFT RESOLUTION A/C.3/33/L.59

18. At the 73rd meeting, the representative of Zambia introduced a draft resolution (A/C.3/33/L.59) entitled "Assistance to South African student refugees", sponsored by Algeria, Bangladesh, Barbados, Benin, Botswana, Burundi, Denmark, Egypt, Ethiopia, the Gambia, Ghana, Germany, Federal Republic of, Guatemala, the Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, the Libyan Arab Jamahiriya, Mauritania, Morocco, the Netherlands, Nigeria, Senegal, the Sudan, Swaziland, Sweden, Turkey, the United Republic of Cameroon, the United Republic of Tanzania, Yugoslavia and Zambia, subsequently joined by Angola, Guinea-Bissau, Ireland, Mozambique, the Niger, Norway, Suriname and the Upper Volta and which stated:

[Same text as draft resolution III in paragraph 6 below, except for operative paragraph 8 which read:

"Further requests the Secretary-General to continue to keep the matter under review and to report to the General Assembly at its thirty-fourth session on the progress made in these programmes;"].

19. At the same meeting, the representative of Zambia revised the text, inserting the words "through the Economic and Social Council at its second regular session in 1979" after the word "session" in operative paragraph 8.

20. At the 74th meeting, the Committee adopted the revised draft resolution without a vote.

B. DRAFT RESOLUTION A/C.3/33/L.57/REV.1

21. At the 73rd meeting, the representative of Ghana introduced a draft resolution (A/C.3/33/L.57/Rev.1) entitled "Status of persons refusing service to military or police forces used to enforce apartheid

sponsored by Bangladesh, Barbados, Costa Rica, Cyprus, Ghana, Jamaica, Lesotho, the Netherlands, Nigeria and Norway and which stated:

[Same text as draft resolution IV in paragraph 65 below, except for operative paragraph 3 which read as follows:

"3. Urges Member States to consider favourably the granting of refugee status to such persons as provided for under existing legal instruments;"].

22. At the same meeting, the representative of Ghana revised the text of operative paragraph 3 by adding after the word "granting" the words "to such persons of all the rights and benefits accorded to refugees under existing legal instruments".

23. At the 74th meeting, the Committee adopted the revised draft resolution without a vote.

E. DRAFT RESOLUTION A/C.3/33/L.20

24. At the 42nd meeting, the representative of Poland introduced a draft resolution (A/C.3/33/L.20) sponsored by Austria, Bulgaria, Cyprus, Jordan, Peru, Poland and the Syrian Arab Republic, subsequently joined by Cuba, the German Democratic Republic, Guatemala, Mongolia, the Philippines and Suriname and which stated:

[Same text as draft resolution V in paragraph 65 below, except for the title, the third and fifth preambular paragraphs and operative paragraphs 1 to 3 which stated:

"Question of the Convention on the Rights of the Child

"...

"Noting resolution 20/XXXIV of the Commission on Human Rights and resolutions 1978/18 and 1978/40 of the Economic and Social Council,

"...

"Fully convinced that during these 19 years, the conditions to take further steps by adopting the Convention on the Rights of the Child have been created,

"...

"1. Takes note with satisfaction of the initiative undertaken by the Commission on Human Rights at its thirty-fourth session in its resolution 20/XXXIV, on the preparation of the draft Convention on the Rights of the Child;

"2. Requests the Commission on Human Rights to organize its work on the Draft Convention on the Rights of the Child at its thirty-fifth session with a view that the draft of the said Convention be ready for adoption by the General Assembly at its thirty-fourth session;

"3. Decides to include in the preliminary agenda for its thirty-fourth session the question of the adoption of a Convention on the Rights of the Child."

25. At the 73rd meeting, the representative of the United States of America introduced some amendments (A/C.3/33/L.77), the purpose of which was

(a) To modify operative paragraph 1 as follows:

"Takes note with satisfaction of the initiative undertaken by the Commission on Human Rights at its thirty-fourth session in its resolution 20 (XXXIV), to continue considering the question of

the preparation of a draft convention on the rights of the child;"

(b) To replace operative paragraphs 2 and 3 by the following text:

"2. Requests the Commission on Human Rights to report to the thirty-fourth General Assembly through the Economic and Social Council, on the progress made in consideration of a draft convention."

26. At the same meeting, the representative of Poland revised the text of the draft resolution as follows:

(a) In the title, before the word "Convention", replace "the" by "a";

(b) In the third preambular paragraph of the English text, replace "Noting" by "Taking note of";

(c) In the fifth preambular paragraph, replace the words "Fully convinced" by "Considering" and "the convention" by "a convention";

(d) In operative paragraph 1, replace "initiative undertaken by" by "decision of", and delete the entire phrase after "resolution 20 (XXXIV)" and replace by: "to continue at its thirty-fifth session, as one of its priorities, its consideration of a draft Convention on the Rights of the Child".

(e) In operative paragraph 2, delete the concluding phrase after the word "adoption", and replace by "if possible during the International Year of the Child";

(f) In operative paragraph 3, delete the words "of the adoption".

27. The representative of the United States withdrew his amendments (A/C.3/33/L.77) and, at the same meeting, the Committee adopted the draft resolution, as revised by the representative of Poland, without a vote.

F. DRAFT RESOLUTION A/C.3/33/L.40

28. At the 62nd meeting, on 30 November, the representative of Nigeria introduced a draft resolution (A/C.3/33/L.40) entitled "Regional arrangements for the promotion and protection of human rights", sponsored by Costa Rica, Germany, Federal Republic of, Ghana, Italy, the Ivory Coast, Jamaica, Kenya, Lesotho, Liberia, the Netherlands, New Zealand, Nigeria, Norway, Spain, Swaziland, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia, subsequently joined by Canada, Ireland, Senegal, Sierra Leone and Suriname; the financial implications of the draft resolution appeared in A/C.3/33/L.69.

29. At the same meeting, the representative of Nigeria revised the text of operative paragraph 2, adding the following words at the end of the paragraph: "and that at least one such seminar should be organized during 1979".

30. The Committee adopted the revised text, without a vote, at the 74th meeting (for the text see para. 65, below, draft resolution VI).

G. DRAFT RESOLUTIONS A/C.3/33/L.42 AND REV.1

31. At the 55th meeting, the representative of the Federal Republic of Germany introduced a draft resolution (A/C.3/33/L.42) entitled "Narcotic drugs", and at the same time announced the publication of a revised text (A/C.3/33/L.42/Rev.1) sponsored by

Austria, Costa Rica, Finland, France, Germany, Federal Republic of, Guatemala, Nicaragua, Nigeria, the Philippines, Sweden, Thailand and the United States of America, subsequently joined by Colombia and Norway (for the text, see para. 65 below, draft resolution VII).

32. At the 74th meeting, the Committee adopted the revised draft resolution without a vote.

H. DRAFT RESOLUTION A/C.3/33/L.44

33. At the 63rd meeting, on 30 November, the representative of Sweden introduced a draft resolution (A/C.3/33/L.44) entitled "Protection of human rights of arrested or detained trade union activists", sponsored by Barbados, Cuba, Cyprus, Denmark, Ecuador, Finland, Ghana, Iceland, Jamaica, the Netherlands, Nigeria, Norway, Portugal and Sweden, subsequently joined by Spain (for the text, see para. 65 below, draft resolution VIII).

34. At the 74th meeting, the Committee adopted the draft resolution without a vote.

I. DRAFT RESOLUTIONS A/C.3/33/L.51 AND REV.1

35. At the 63rd meeting, the representative of Belgium introduced a draft resolution (A/C.3/33/L.51) entitled "International Year for Disabled Persons", sponsored by Belgium, India, Jamaica, the Libyan Arab Jamahiriya and Poland, subsequently joined by Bangladesh and the United Kingdom of Great Britain and Northern Ireland.

36. Subsequently, a revised draft resolution (A/C.3/33/L.51/Rev.1) was introduced, sponsored by Bangladesh, Belgium, India, Italy, Jamaica, the Libyan Arab Jamahiriya and Sweden, joined by Barbados, Canada, the Niger and the United Kingdom of Great Britain and Northern Ireland, the purpose of which was to add a new operative paragraph 2.

37. At the 74th meeting, the Secretary of the Committee read out the financial implications of the draft resolution.

38. At the same meeting, the Committee adopted the revised draft resolution without a vote (for the text, see para. 65 below, draft resolution IX).

J. DRAFT RESOLUTION A/C.3/33/L.71

39. At the 73rd meeting, the representative of Canada introduced a draft resolution (A/C.3/33/L.71) entitled "United Nations Yearbook on Human Rights", sponsored by Australia, Austria, Canada, Colombia, the Netherlands and Suriname (for the text, see para. 65 below, draft resolution X).

40. At the 74th meeting, the Committee adopted the draft resolution without a vote.

K. DRAFT RESOLUTION A/C.3/33/L.30

41. At the 74th meeting, the representative of Turkey introduced a draft resolution (A/C.3/33/L.30) entitled "Missing persons in Cyprus", the text of which was as follows:

"The General Assembly,

"Reaffirming its resolution 32/128 on the missing persons in Cyprus,

"Regretting the delay in the implementation of this resolution,

"1. Urges the establishment of the investigatory body with the participation of the International Committee of the Red Cross, which would be in

a position to function impartially, effectively and speedily so as to resolve the problem without delay;

"2. Calls upon the parties to finalize modalities of the investigatory body, with a view to activating it expeditiously;

"3. Requests the Secretary-General to continue to provide his good offices, through his Special Representative in Cyprus, to support the establishment of the investigatory body."

42. At the same meeting, the representative of Cyprus introduced amendments (A/C.3/33/L.45) sponsored by Afghanistan, Algeria, Barbados, Botswana, Cape Verde, Cyprus, the Dominican Republic, Guinea, Guinea-Bissau, Honduras, Kenya, Malta, Mexico and Panama, subsequently joined by Sao Tome and Principe and Sierra Leone for the purpose of which was:

(a) To modify the first preambular paragraph to read as follows:

"Recalling its resolutions 3450 (XXX) of 5 December 1975 and 32/128 of 16 December 1977 on the missing persons in Cyprus,";

(b) To modify operative paragraph 1 to read as follows:

"1. Urges the establishment of the investigatory body under the chairmanship of a representative of the Secretary-General with the co-operation of the International Committee of the Red Cross, which would be in a position to function impartially, effectively and speedily so as to resolve the problem without undue delay; the representative of the Secretary-General shall be empowered, in case of agreement, to reach a binding independent opinion which shall be implemented,";

(c) To modify operative paragraph 2 to read as follows:

"2. Calls upon the parties to co-operate with the investigatory body and, to this effect, appoint their representatives thereto forthwith." At the same meeting the members voted on the amendments and the draft resolution.

43. The first amendment was adopted by a recorded vote of 65 to 5, with 45 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Cape Verde, Central African Empire, Chad, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Ivory Coast, Jamaica, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Madagascar, Malta, Mexico, Mozambique, Nepal, Nicaragua, Nigeria, Panama, Papua New Guinea, Paraguay, Rwanda, Sao Tome and Principe, Sierra Leone, Sri Lanka, Syrian Arab Republic, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Bangladesh, Morocco, Pakistan, Saudi Arabia, Turkey.

Abstaining: Australia, Austria, Belgium, Burma, Canada, Chile, Denmark, Finland, France, Germany, Federal Republic of, Ghana, Iceland

Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Viet Nam.

Abstaining: Algeria, Angola, Bahamas, Barbados, Benin, Bolivia, Burma, Cape Verde, Central African Empire, Chad, Congo, Egypt, Gabon, Guinea, Guinea-Bissau, Honduras, Indonesia, Israel, Ivory Coast,³⁴ Japan, Jordan, Kenya, Malaysia, Mauritania, Morocco, Nepal, Niger, Nigeria, Oman, Panama, Peru, Philippines, Rwanda, Sao Tome and Principe, Saudi Arabia, Singapore, Somalia, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Recommendations of the Third Committee

65. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

MIGRATORY LABOUR IN SOUTHERN AFRICA

The General Assembly,

Recalling its resolutions 32/105 A to N of 14 December 1977 and 32/105 O of 16 December 1977 relating to the policies of *apartheid* of the Government of South Africa,

Recalling further Economic and Social Council resolution 2082 B (LXII) of 13 May 1977, in which the Council recommended that the General Assembly should declare 1978 the International Anti-*Apartheid* Year,

Noting with satisfaction the proclamation of the year beginning on 21 March 1978 and ending on 20 March 1979 as International Anti-*Apartheid* Year,

Bearing in mind the Programme for the International Anti-*Apartheid* Year,³⁵

Recalling also the resolutions on accelerated economic development and international action and on the promotion of development strategies with a view to reducing economic dependence on South Africa and the Charter of Rights for Migrant Workers in Southern Africa which were adopted by the Conference on Migratory Labour in Southern Africa,³⁶ held at Lusaka from 4 to 8 April 1978, and organized by the Economic Commission for Africa and the International Labour Organisation, in co-operation with the Government of Zambia and the liberation movements of southern Africa that are recognized by the Organization of African Unity,

Aware of the heavy dependence of Botswana, Lesotho, Malawi, Mozambique, Namibia and Swaziland on their supply of migrant labour to South Africa and of the need to eliminate such undesirable dependence,

Convinced that the continuance of the system of migrant labour to South Africa both perpetuates the evils of *apartheid* and retards the social and economic advancement of the States supplying migrant labour,

Convinced also that the removal of this evil system of migrant labour would facilitate the elimination of *apartheid* and accelerate the socio-economic development and transformation of the supplier States,

³⁴ The delegation of the Ivory Coast announced later that it had intended to vote in favour.

³⁵ General Assembly resolution 32/105 B, annex.

³⁶ E/CN.14/ECO/142, part two.

Realizing that the weak position of the supplier States to take action individually with a view to extricating their dependent economies and their migrant nationals from the stranglehold of *apartheid* and the economy of South Africa calls for urgent concerted action and co-operation among the affected Member States as well as assistance from other African States, international organizations, non-African Governments and other organizations,

1. Endorses 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 the present resolution;

2. Urges all Member States and all organizations of the United Nations system and other international organizations, pursuant to the Lagos Declaration for Action against *Apartheid*³⁷ adopted by the World Conference for Action Against *Apartheid*, held at Lagos from 22 to 26 August 1977, to extend to the African States affected by the migration of labour to South Africa all material, financial, technical and political support for the initiation and implementation of specific development programmes and projects aimed at enabling those States 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.

ANNEX

Charter of Rights for Migrant Workers in Southern Africa adopted on 7 April 1978 by the Conference on Migratory Labour in Southern Africa

We the representatives of the States and peoples of southern Africa,

Noting that *apartheid* has been declared a crime against humanity by the General Assembly of the United Nations,

Noting the work done by the International Labour Organisation on the problems of migratory labour in southern Africa and recalling International Labour Organisation Conventions No. 87 of 9 July 1948 and Nos. 97 and 98 of 1 July 1949 concerning, respectively, the freedom of association and protection of the right to organize, migration for employment and the application of the principles of the right to organize and to bargain collectively,³⁸

Recognizing that the migratory labour system is one of the major instruments of *apartheid*,

Mindful of the gross indignities it inflicts on workers, who are denied many of their basic human rights,

Noting that it undermines family life and disrupts agrarian economies,

Hereby pledge ourselves to strive for the abolition of the migratory labour system practised in South Africa and, pending its elimination, agree to the present Charter of Rights for Migrant Workers in Southern Africa.

CHAPTER I

RIGHTS OF ASSOCIATION, MOVEMENT AND RESIDENCE

Article 1

All workers shall have the right to:

- Form and join trade unions of their own choice;
- Participate in collective bargaining on equal terms

³⁷ A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2 and corrigendum), sect. X.

³⁸ See International Labour Organisation, *Conventions and Recommendations, 1919-1966* (Geneva, 1966).

to the General Assembly at its thirty-fourth session, through the Economic and Social Council at its second regular session of 1979, on the progress made in these programmes.

Draft resolution IV

STATUS OF PERSONS REFUSING SERVICE IN MILITARY OR POLICE FORCES USED TO ENFORCE *apartheid*

The General Assembly,

Mindful that the Charter of the United Nations sets forth, as one of the purposes of the Organization, the achievement of international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling article 18 of the Universal Declaration of Human Rights,⁴³ which states that everyone has the right to freedom of thought, conscience and religion,

Conscious that the Proclamation of Teheran,⁴⁴ the Lagos Declaration for Action against *Apartheid*⁴⁵ and other United Nations declarations, conventions and resolutions have condemned *apartheid* as a crime against the conscience and dignity of mankind,

Having regard to section II, paragraph 11, of the Lagos Declaration, which proclaims that the United Nations and the international community have a special responsibility towards those imprisoned, restricted or exiled for their struggle against *apartheid*,

Taking note of the report of the Special Committee against *Apartheid* (A/33/22 and Corr.1),

1. *Recognizes* the right of all persons to refuse service in military or police forces which are used to enforce *apartheid*;

2. *Calls upon* Member States to grant asylum or safe transit to another State, in the spirit of the Declaration on Territorial Asylum,⁴⁶ 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;

3. *Urges* Member States to consider favourably the granting to such persons of all the rights and benefits accorded to refugees under existing legal instruments;

4. *Calls upon* appropriate United Nations bodies, including the United Nations High Commissioner for Refugees, the specialized agencies and non-governmental organizations, to provide all necessary assistance to such persons.

Draft resolution V

QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

The General Assembly,

Having in mind its resolution 31/169 of 21 December 1976, in which it proclaimed the year 1979 International Year of the Child,

Recalling its resolution 32/109 of 15 December 1977, in which it, *inter alia*, reaffirmed that the major focus of the International Year of the Child should

⁴³ General Assembly resolution 217 A (III).

⁴⁴ *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No. E.68.XIV.2), p. 3.

⁴⁵ A/CONF.91/9 (United Nations publication, Sales No. E.77.XIV.2 and corrigendum), sect. X.

⁴⁶ General Assembly resolution 2312 (XXII), annex.

be at the national level, but that this should be reported by regional and international co-operation.

Taking note of Commission on Human Rights resolution 20 (XXXIV) of 8 March 1978⁴⁷ and Economic and Social Council resolutions 1978/18 of 1978 and 1978/40 of 1 August 1978,

Bearing in mind that, since the adoption of the Declaration of the Rights of the Child,⁴⁸ nineteen years have already elapsed, and that during this time the principles of the Declaration have played a significant part in the promotion of the rights of children in the entire world as well as in shaping various forms of the international co-operation in this sphere,

Considering that during these nineteen years the conditions to take further steps by adopting a convention on the rights of the child have been favourable,

Conscious of the need to strengthen further the comprehensive care and the well-being of children over the world,

1. *Takes note with satisfaction* of the decision of the Commission on Human Rights at its thirty-third session, in its resolution 20 (XXXIV), to consider at its thirty-fifth session, as one of its priorities, the consideration of a draft convention on the rights of the child;

2. *Requests* the Commission on Human Rights to organize its work on the draft convention on the rights of the child at its thirty-fifth session, and to report to the General Assembly on the progress of the draft of the Convention may be ready for adoption if possible during the International Year of the Child;

3. *Decides* to include in the provisional agenda of its thirty-fourth session the question of the adoption of a convention on the rights of the child.

Draft resolution VI

REGIONAL ARRANGEMENTS FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977,

Taking note of Commission on Human Rights resolution 24 (XXXIV) of 8 March 1978⁴⁷ on arrangements for the promotion and protection of human rights,

Noting with serious concern the report of the Secretary-General (A/33/219) on the implementation of the above-mentioned resolutions, in which he states that owing to financial difficulties he was unable to organize any seminar for the purpose of discussing the usefulness and advisability of the establishment of regional commissions for the promotion and protection of human rights in regions where no such commission on human rights exists,

Stressing the importance of the speedy and effective implementation of the resolutions of the General Assembly on this question,

1. *Reiterates its appeal* to States in areas where no regional arrangements in the field of human rights have yet been established 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;

⁴⁷ See *Official Records of the Economic and Social Council*, 1978, Supplement No. 4, chap. XXVI, sect. A.

⁴⁸ General Assembly resolution 1386 (XIV).