

4. *Also invites* the Secretary-General to transmit the above-mentioned documents to the competent organs of the United Nations and to the international organizations concerned, for their information, so as to enable them to continue their co-operation with the Working Group;

5. *Decides* that the Working Group shall meet during the forty-third session of the General Assembly, preferably at the beginning of the session, to continue the second reading of the draft international convention on the protection of the rights of all migrant workers and their families;

6. *Requests* the Secretary-General to do everything possible to ensure adequate Secretariat services for the Working Group for the timely fulfilment of its mandate, both at its inter-sessional meeting to be held after the first regular session of 1988 of the Economic and Social Council and during the forty-third session of the General Assembly.

93rd plenary meeting
7 December 1987

42/141. Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights,² in which it is stated that every human being has the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights,¹³ in which it is stated that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling also its resolution 34/175 of 17 December 1979, in which it reaffirmed that mass and flagrant violations of human rights are of special concern to the United Nations and urged the Commission on Human Rights to take timely and effective action in existing and future cases of mass and flagrant violations of human rights,

Recalling further its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985 and 41/144 of 4 December 1986,

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

Recalling resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,¹⁶³ in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Welcoming Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15,¹⁶⁴ as well as the ongoing work on summary or arbitrary

executions within the Committee on Crime Prevention and Control,

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

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

1. *Once again strongly condemns* the large number of summary or arbitrary executions, including extra-legal executions, that continue to take place in various parts of the world;

2. *Demands* that the practice of summary or arbitrary executions be brought to an end;

3. *Welcomes* Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint for one year a special rapporteur to consider the questions related to summary or arbitrary executions;

4. *Also welcomes* Economic and Social Council resolution 1987/60 of 29 May 1987, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for a further year and requested the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-fourth session;

5. *Urges* all Governments and all others concerned to co-operate with and assist the Special Rapporteur of the Commission on Human Rights in order that he may carry out his mandate effectively;

6. *Requests* the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred;

7. *Welcomes* the recommendations made by the Special Rapporteur in his report¹⁶⁵ to the Commission on Human Rights at its forty-third session with a view to eliminating summary or arbitrary executions;

8. *Endorses* the recommendation of the Special Rapporteur on the need to develop international standards designed to ensure effective legislation and other domestic measures so that proper investigations are conducted by appropriate authorities into all cases of suspicious death, including provisions for adequate autopsy;

9. *Invites* the Special Rapporteur to continue to receive information from appropriate United Nations bodies and other international organizations and to examine the elements to be included in such standards and to report to the Commission on Human Rights at its forty-fourth session on progress made in this respect;

10. *Considers* that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council;

11. *Requests* the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

¹⁶³ See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr. 1, chap. XXI, sect. A.

¹⁶⁴ See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Milan, 26 August-6 September 1985 report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. F.

¹⁶⁵ E/CN.4/1987/20

12. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights¹³ appear not to be respected;

13. *Requests* the Commission on Human Rights at its forty-fourth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40, 1986/36 and 1987/60, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

93rd plenary meeting
7 December 1987

42/142. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 41/145 of 4 December 1986 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1987/27 of 10 March 1987,²⁶

1. *Expresses its appreciation* to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;

2. *Welcomes* the decision of the Commission on Human Rights to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980,⁵⁵ while maintaining the principle of annual reporting by the Group;

3. *Also welcomes* the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986⁶¹ to enable the Working Group to fulfil its mandate with greater efficiency;

4. *Appeals* to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group, to co-operate fully with the Group so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role;

5. *Encourages* the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling the Group to fulfil its mandate even more effectively;

6. *Appeals* to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or any ill-treatment of which they may be the target;

7. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Group to the Commission at its forty-fourth session;

8. *Renews its request* to the Secretary-General to continue to provide the Working Group with all necessary facilities.

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42/143. Human rights in the administration of justice

The General Assembly,

Guided by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights,² as well as the relevant provisions of the International Covenant on Civil and Political Rights,¹³ in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life,

Guided also by the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁴² and in the International Convention on the Elimination of All Forms of Racial Discrimination,³

Calling attention to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power¹⁶⁶ and the safeguards guaranteeing protection of the rights of those facing the death penalty, approved by the Economic and Social Council in its resolution 1984/50 of 25 May 1984 and endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹⁶⁷ as well as to the Basic Principles on the Independence of the Judiciary,¹⁶⁸ the Code of Conduct for Law Enforcement Officials¹³⁹ and the Standard Minimum Rules for the Treatment of Prisoners,¹⁶⁹

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

Further calling attention to the prohibition under article 6 of the International Covenant on Civil and Political Rights of the imposition of the death penalty for crimes committed by persons below 18 years of age,

Recognizing the significant contributions of the programme of work of the United Nations in the field of crime prevention and criminal justice to international co-operation in the field of human rights in the administration of justice, as reaffirmed, *inter alia*, by the Economic and Social Council in its resolutions 1987/49 and 1987/53 of 28 May 1987,

Acknowledging the important work accomplished by the Commission on Human Rights at its forty-third session in this field, as reflected in its resolutions 1987/33 of 10 March 1987 on human rights in the administration of justice and 1987/57 of 11 March 1987 on summary or arbitrary executions,²⁶

¹⁶⁶ Resolution 40/34, annex.

¹⁶⁷ See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. 1, sect. E.15.

¹⁶⁸ *Ibid.*, sect. D.2.

¹⁶⁹ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.