

from among the States parties to the International Covenant on Economic, Social and Cultural Rights, in accordance with the geographical distribution established by the Council in paragraph (a) of its decision 1978/10, under the following conditions:

- (i) The members of the Group of Experts shall be elected for a term of three years and shall be eligible for re-election at the end of their terms;
- (ii) One third of the membership of the Group of Experts, comprising one member from each regional group, shall be renewed each year;
- (iii) The first elections shall take place during the resumed second regular session of 1982 of the Economic and Social Council and the confirmation of the experts designated by Member States to represent them in the Group of Experts shall take place at the organizational session for 1983 of the Council; immediately after the first elections, the President of the Council shall choose by lot the name of one member from each regional group whose term shall expire at the end of one year and the name of another member from each regional group whose term shall expire at the end of two years;
- (iv) The terms of office of members elected to the Group of Experts shall begin on 1 January following their election and shall expire on 31 December following the election of members that are to succeed them as members of the Group of Experts;
- (v) Subsequent elections shall take place each year during the first regular session of the Council;
- (vi) Each Member State elected to the Group of Experts shall designate, in consultation with the Secretary-General and subject to confirmation by the Council, a qualified person to represent that Member State in the Group of Experts;
- (vii) The person so designated by his or her Government shall be an expert with recognized competence in the field of human rights;

(c) The Group of Experts shall meet annually for a period of three weeks, beginning two weeks before the first regular session of the Council; the duration of each session may be extended by the Council at its organizational session, if required, taking into account the number of reports to be examined by the Group of Experts in the course of its following session;

(d) At the end of each of its sessions, the Group of Experts shall submit to the Economic and Social Council a report on its activities and shall make suggestions and recommendations of a general nature based on its consideration of reports submitted by States parties to the Covenant and by the specialized agencies, in order to assist the Council to fulfil, in particular, its responsibilities under articles 21 and 22 of the Covenant;

(e) The Secretary-General shall provide the Group of Experts with summary records of its proceedings; those summary records shall be made available to the Council at the same time as the report of the Group of Experts; the Secretary-General shall also

provide the Group of Experts with appropriate conference facilities;

(f) The Economic and Social Council shall review the composition, organization and administrative arrangements of the Group of Experts at its first regular session of 1985, and subsequently every three years, taking into account the principle of equitable geographical distribution and the increase in the number of States parties to the Covenant;

(g) The procedures and methods of work established by the resolutions and decisions referred to in the preamble to the present resolution shall remain in force in so far as they are not modified by the present resolution.

27th plenary meeting
6 May 1982

1982/34. Study of the problem of discrimination against indigenous populations

The Economic and Social Council,

Recalling its resolution 1589 (L) of 21 May 1971, resolutions 22 (XXXVII) of 10 March 1981⁶⁰ and 1982/19 of 10 March 1982⁶¹ of the Commission on Human Rights and resolutions 8 (XXIV) of 18 August 1971,⁶² 5 (XXXIII) of 10 September 1980⁶³ and 2 (XXXIV) of 8 September 1981⁶⁴ of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recognizing the urgent need to promote and to protect the human rights and fundamental freedoms of indigenous populations,

Bearing in mind the concerns expressed in this regard at the World Conference to Combat Racism and Racial Discrimination in 1978,⁶⁵

Believing that special attention should be given to appropriate avenues of recourse at the national, regional and international levels in order to advance the promotion and protection of the human rights and fundamental freedoms of indigenous populations,

Mindful of the conclusions of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and of the Commission on Human Rights that the plight of indigenous peoples is of a serious and pressing nature and that special measures are urgently needed to promote and protect the human rights and fundamental freedoms of indigenous populations,

1. Authorizes the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations which shall meet for up to five working days before the annual sessions of the Sub-Commission in order to review developments pertaining to the promotion and protection of the human rights and funda-

⁶⁰ See *Official Records of the Economic and Social Council, 1981, Supplement No. 5 (E/1981/25)*, chap. XXVIII.

⁶¹ *Ibid.*, 1982, *Supplement No. 2 (E/1982/12 and Corr.1)*, chap. XXVI.

⁶² See E/CN.4/1070 and Corr.1, chap. XII.

⁶³ See E/CN.4/1413 and Corr.1, chap. XVII.

⁶⁴ See E/CN.4/1512, chap. XX.

⁶⁵ See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2).

mental freedoms of indigenous populations, including information requested by the Secretary-General annually from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status, particularly those of indigenous peoples, to analyse such materials, and to submit its conclusions to the Sub-Commission bearing in mind the report of the Special Rapporteur of the Sub-Commission;⁶⁶

2. *Decides* that the Working Group shall give special attention to the evolution of standards concerning the rights of indigenous populations, taking account of both the similarities and the differences in the situations and aspirations of indigenous populations throughout the world;

3. *Requests* the Secretary-General to assist the working group on indigenous populations and make all necessary arrangements to enable it to carry out its functions.

*28th plenary meeting
7 May 1982*

1982/35. Summary or arbitrary executions

The Economic and Social Council,

Recalling the Universal Declaration of Human Rights,⁶⁷ which guarantees the right to life, liberty and security of person,

Having regard to the provisions of the International Covenant on Civil and Political Rights,⁶⁸ in which it is stated that every human being has the inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling General Assembly resolution 34/175 of 17 December 1979, in which the Assembly reaffirmed that mass and flagrant violations of human rights 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,

Further recalling resolution 8 (XXIII) of 16 March 1967 of the Commission on Human Rights⁶⁹ concerning the question of violations of human rights and fundamental freedoms in any part of the world,

Mindful of General Assembly resolution 36/22 of 9 November 1981, in which the Assembly condemned the practice of summary executions and arbitrary executions,

Bearing in mind resolution 5, on extra-legal executions, of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁷⁰

Deeply alarmed about the occurrence of summary or arbitrary executions, including extra-legal executions, that are widely regarded as being politically motivated,

⁶⁶ E/CN.4/Sub.2/476 and Add.1-6.

⁶⁷ General Assembly resolution 217 A (III).

⁶⁸ See General Assembly resolution 2200 A (XXI), annex.

⁶⁹ See *Official Records of the Economic and Social Council, Forty-second Session, Supplement No. 6 (E/4322)*, chap. V.

⁷⁰ See *Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report prepared by the Secretariat* (United Nations publication, Sales No. E.81.IV.4), chap. I, sect. B.

Convinced of the need to deal urgently with the question of summary or arbitrary executions,

1. *Strongly deplores* the increasing number of summary or arbitrary executions taking place in various parts of the world;

2. *Decides*, therefore, to appoint for one year a special rapporteur to examine the questions related to summary or arbitrary executions;

3. *Requests* the Chairman of the Commission on Human Rights, after consultations within the Bureau, to appoint an individual of recognized international standing as special rapporteur;

4. *Considers* that the special rapporteur in carrying out his mandate may seek and receive information from Governments, specialized agencies and other intergovernmental organizations, as well as non-governmental organizations in consultative status with the Economic and Social Council;

5. *Requests* the special rapporteur to submit a comprehensive report to the Commission on Human Rights at its thirty-ninth session on the occurrence and extent of the practice of such executions, together with his conclusions and recommendations;

6. *Urges* all Governments to co-operate with and assist the special rapporteur in the preparation of his report;

7. *Requests* the Secretary-General to provide all necessary assistance to the special rapporteur;

8. *Requests* the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its thirty-ninth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

*28th plenary meeting
7 May 1982*

1982/36. Situation of human rights in Equatorial Guinea

The Economic and Social Council,

Recalling its resolution 1981/38 of 8 May 1981 and its decision 1981/167 of 16 July 1981,

Bearing in mind resolution 1982/34 of 11 March 1982 of the Commission on Human Rights,⁷¹

Mindful of the role that the United Nations could play in the promotion, the protection and the restoration of human rights and fundamental freedoms in the world,

Conscious of the request of the Government of Equatorial Guinea for assistance in the restoration of human rights and fundamental freedoms in that country with a view to ensuring, in particular, the right of the population to participate in the management of public affairs in the country,

1. *Takes note* of the plan of action proposed by the Secretary-General⁷² on the basis of recom-

⁷¹ See *Official Records of the Economic and Social Council, 1982, Supplement No. 2 (E/1982/12 and Corr.1)*, chap. XXVI.

⁷² E/CN.4/1495, annex.