

mendations⁷³ submitted by the expert appointed pursuant to resolution 33 (XXXVI) of 11 March 1980 of the Commission on Human Rights.⁷⁴

2. *Regrets* the delay in the implementation of the measures envisaged in the plan of action;

3. *Requests* the Secretary-General, with expert assistance if necessary, to discuss the Government of Equatorial Guinea the role that the United Nations could play in the implementation of the plan of action;

4. *Invites* the Government of Equatorial Guinea to co-operate with the Secretary-General in this respect;

5. *Requests* the Secretary-General to inform the Economic and Social Council at its second regular session of 1982 of the steps taken to implement the present resolution and to report further to the Commission on Human Rights at its thirty-ninth session;

6. *Requests* the Commission on Human Rights to review this question at its thirty-ninth session.

*28th plenary meeting
7 May 1982*

1982/37. Question of a convention on the rights of the child

The Economic and Social Council,

Recalling General Assembly resolutions 33/166 of 20 December 1978, 34/4 of 18 October 1979 and 35/131 of 11 December 1980, as well as resolution 36/57 of 25 November 1981, by which the Assembly requested the Commission on Human Rights to continue to give the highest priority to the question of completing the draft convention on the rights of the child, and Economic and Social Council resolutions 1978/18 of 5 May 1978 and 1978/40 of 1 August 1978 and decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981, by which the Council authorized a one-week session of an open-ended working group prior to the thirty-eighth session of the Commission to facilitate completion of the work on a draft convention on the rights of the child,

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

Taking note of resolution 1982/39 of 11 March 1982 of the Commission on Human Rights,⁷⁵

1. *Authorizes* a meeting of an open-ended working group for a period of one week prior to the thirty-ninth session of the Commission on Human Rights to facilitate the completion of the work on a draft convention on the rights of the child;

2. *Requests* the Secretary-General to transmit to the Commission on Human Rights at its thirty-ninth session all relevant material relating to the draft convention on the rights of the child.

*28th plenary meeting
7 May 1982*

1982/38. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular torture and other cruel, inhuman or degrading treatment or punishment

The Economic and Social Council,

Recalling General Assembly resolution 36/60 of 25 November 1981, by which the Commission on Human Rights was requested to complete as a matter of highest priority, at its thirty-eighth session, the drafting of a convention against torture and other cruel, inhuman or degrading treatment or punishment, and Economic and Social Council resolution 1981/37 of 8 May 1981 by which the Council authorized a meeting of an open-ended working group for a period of one week prior to the thirty-eighth session of the Commission on Human Rights to complete the work on a draft convention against torture and other cruel, inhuman or degrading treatment or punishment,

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

Taking note of resolution 1982/44 of 11 March 1982 of the Commission on Human Rights,⁷⁶

1. *Authorizes* a meeting of an open-ended working group for a period of one week prior to the thirty-ninth session of the Commission on Human Rights to complete the work on a draft convention against torture and other cruel, inhuman or degrading treatment or punishment;

2. *Requests* the Secretary-General to transmit to the Commission on Human Rights at its thirty-ninth session all relevant material relating to the draft convention.

*28th plenary meeting
7 May 1982*

1982/39. Protection of the rights of children and parents in cases of removal or retention of children

The Economic and Social Council,

Bearing in mind the Declaration of the Rights of the Child proclaimed by the General Assembly in its resolution 1386 (XIV) of 20 November 1959,

Recalling that, under the terms of principle 2 of that Declaration, the child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity.

Concerned about the proliferation of conflicts between couples of different nationalities and at the consequences which result therefrom for children, concerned particularly by their removal from the country of one spouse to the country of the other without the consent of one of the two spouses, and without or in violation of a judicial or administrative decision, and, lastly, concerned about the cases of child retention in which such situations sometimes end,

Ibid.

⁷³ E/CN.4/1439 and Add.1.

⁷⁴ See *Official Records of the Economic and Social Council, 1980, Supplement No. 3* (E/1980/13 and Corr.1), chap. XXIV.

⁷⁵ *Ibid.*, 1982, *Supplement No. 2* (E/1982/12 and Corr.1), chap. XXVI.