

2. *Takes note* of the report of the Secretary-General⁷¹ and of the report submitted by two constitutional experts, Mr. Rubén Hernández-Valle and Mr. Jorge Mario Laguardia, who were recruited by the Secretary-General, at the request of the Government of Equatorial Guinea, to assist the Equatorial Guinea National Commission to draft a constitution for that country;

3. *Encourages* the Government of Equatorial Guinea to continue to display the same spirit of co-operation in implementing the plan of action prepared by the Secretary-General at the request of the Government of Equatorial Guinea;

4. *Requests* the Secretary-General, in conjunction with the Government of Equatorial Guinea, to consider what further measures could be taken by the United Nations to assist that Government in the continued implementation of the plan of action and to report to the Commission on Human Rights at its fortieth session;

5. *Requests* the Commission on Human Rights, in the light of the Secretary-General's report, to reconsider this question at its fortieth session under the 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".

*15th plenary meeting
27 May 1983*

1983/36. Summary or arbitrary executions

The Economic and Social Council,

Recalling the Universal Declaration of Human Rights,⁷² 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,⁷³ which states 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 were 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,

Mindful of General Assembly resolutions 36/22 of 9 November 1981 and 37/182 of 17 December 1982, in which the Assembly condemned the practice of summary and arbitrary executions,

Bearing in mind resolution 5 of 5 September 1980 on extra-legal executions adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁷⁴

Taking note of resolutions 1982/10 and 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,⁷⁵ in

⁷¹ E/CN.4/1983/17.

⁷² General Assembly resolution 217 A (III).

⁷³ General Assembly resolution 2200 A (XXI), annex.

⁷⁴ 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.

⁷⁵ See E/CN.4/1983/4 and Corr. 1, chap. XXI, sect. A.

which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary and arbitrary executions, including extra-legal executions,

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

Convinced of the need to continue to deal urgently with the question of summary or arbitrary executions, including extra-legal executions,

1. *Strongly deplores*, once again, the increasing number of summary or arbitrary executions, including extra-legal executions, which continue to take place in various parts of the world;

2. *Appeals urgently* to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental and humanitarian organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

3. *Takes note* of the report of the Special Rapporteur, Mr. S. A. Wako,⁷⁶ submitted in accordance with Council resolution 1982/35 of 7 May 1982;

4. *Decides* to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for another year;

5. *Requests* the Special Rapporteur to review his report in the light of the information received, taking particularly into account any new information, including relevant internal legislation, provided by concerned Governments as well as views expressed in the Commission on Human Rights at its thirty-ninth session and to submit a report to the Commission at its fortieth session;

6. *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;

7. *Expresses its appreciation* to those Governments that have extended invitations to the Special Rapporteur to visit their respective countries and urges the Special Rapporteur to respond positively to such invitations;

8. *Urges* all Governments and all others concerned to co-operate with and assist the Special Rapporteur;

9. *Requests* the Secretary-General to provide all necessary assistance to the Special Rapporteur;

10. *Decides* that the Commission on Human Rights should consider the question of summary or arbitrary executions as a matter of high priority at its fortieth session under the 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".

*15th plenary meeting
27 May 1983*

1983/37. Human rights and scientific and technological development

The Economic and Social Council,

Mindful of resolution 1982/34 of 10 September 1982 of the Sub-Commission on Prevention of Discrimination

⁷⁶ E/CN.4/1983/16 and Add.1.

and Protection of Minorities,⁷⁷ and Commission on Human Rights resolution 1983/44 of 9 March 1983,⁶⁸ concerning guidelines, principles and guarantees for the protection of persons detained on grounds of mental ill-health or suffering from mental disorder,

Expressing its deep appreciation to the Special Rapporteur, Mrs. Erica-Irene A. Daes, for her work in preparing her report, on this question,⁷⁸

Noting also with appreciation the report of the Sub-Commission's sessional working group on the question of persons detained on the grounds of mental ill-health,⁷⁹

1. *Requests* the Special Rapporteur expeditiously to supplement her final report, containing the body of principles, guidelines and guarantees as well as the summary compilation of replies received from Governments and specialized agencies, taking into account the basic views expressed in the Sub-Commission on Prevention of Discrimination and Protection of Minorities and in the Commission on Human Rights, and to include in the report any new replies from Governments or specialized agencies that may be transmitted in the meantime;

2. *Requests* the Sub-Commission to establish a sessional working group and to allocate to it appropriate time and facilities for a proper examination, as a matter of the highest priority, of the above-mentioned body of principles, guidelines and guarantees, and to submit the revised final report of the Special Rapporteur including the documentation referred to in paragraph 1 above, to the Commission on Human Rights at its fortieth session;

3. *Requests* the Secretary-General to provide the Special Rapporteur with all assistance needed for the completion of her work.

*15th plenary meeting
27 May 1983*

1983/38. 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 37/193 of 18 December 1982, by which the Assembly requested the Commission on Human Rights to complete as a matter of the highest priority, at its thirty-ninth session, the drafting of a convention on torture and other cruel, inhuman or degrading treatment or punishment, and Economic and Social Council resolution 1982/38 of 7 May 1982, by which the Council authorized a meeting of an open-ended working group of the Commission on Human Rights for a period of one week prior to the Commission's thirty-ninth session 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-ninth session of the Commission,

Taking note of Commission on Human Rights resolution 1983/48 of 9 March 1983,⁶⁸

1. *Authorizes* a meeting of an open-ended working group for a period of one week prior to the fortieth ses-

⁷⁷ See E/CN.4/1983/4 and Corr.1, chap. XXI, sect. A.

⁷⁸ E/CN.4/Sub.2/1982/16.

⁷⁹ E/CN.4/Sub.2/1982/17.

sion 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 fortieth session all relevant material relating to the draft convention.

*15th plenary meeting
27 May 1983*

1983/39. Question of a convention on the rights of the child

The Economic and Social Council,

Recalling General Assembly resolution 37/190 of 18 December 1982, by which the Assembly requested the Commission on Human Rights to continue to give the highest priority at its thirty-ninth session to the question of completing the draft convention on the rights of the child, and Economic and Social Council resolution 1982/37 of 7 May 1982, by which the Council authorized a meeting of an open-ended working group for a period of one week prior to the thirty-ninth session of the Commission to facilitate the completion of the work on the 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-ninth session of the Commission,

Taking note of Commission on Human Rights resolution 1983/52 of 10 March 1983,⁶⁸

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

2. *Requests* the Secretary-General to transmit documents relating to the draft convention on the rights of the child to the Commission on Human Rights at its fortieth session and to extend all facilities to the open-ended working group during its meeting prior to the fortieth session of the Commission.

*15th plenary meeting
27 May 1983*

1983/40. Measures to improve the situation and ensure the human rights and dignity of all migrant workers and their families

The Economic and Social Council,

Mindful of the need for international co-operation in solving international problems of an economic, social, intellectual or humanitarian nature and in developing and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling in that regard the provisions of the Universal Declaration of Human Rights,⁸⁰ of the International Convention on the Elimination of All Forms of Racial Discrimination⁸¹ and of the International Covenants on Human Rights,⁸²

⁸⁰ General Assembly resolution 217 A (III).

⁸¹ General Assembly resolution 2106 A (XX), annex.

⁸² See General Assembly resolution 2200 A (XXI), annex.