

for co-operation and harmonization of action by the United Nations system in this field;

4. *Also requests* the Secretary-General to enlist and utilize the resources of the United Nations Trust Fund for the International Year of Disabled Persons to meet growing requests for assistance, advisory services and technical co-operation programmes submitted by developing countries and organizations of disabled persons for the implementation of the World Programme of Action;

5. *Also requests* the Secretary-General, in order to facilitate contributions by Governments, to include the United Nations Trust Fund for the International Year of Disabled Persons, on an annual basis, among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

6. *Further requests* the Secretary-General to continue to keep the Commission for Social Development informed of progress made in the monitoring and evaluation of the implementation of the World Programme of Action.

*23rd plenary meeting
29 May 1985*

1985/36. Progress of work of the Commission for Social Development

The Economic and Social Council,

Recalling the terms of reference of the Commission for Social Development set forth in Economic and Social Council resolutions 10 (II) of 21 June 1946, 830 J (XXXII) of 2 August 1961 and 1139 (XLI) of 29 July 1966,

Reaffirming the central role of the Commission for Social Development within the United Nations in considering matters relating to social development,

Reaffirming that, within the United Nations system, the Centre for Social Development and Humanitarian Affairs of the Department of International Economic and Social Affairs of the United Nations Secretariat has a major role to play in matters relevant to social development,

Recognizing the importance for the Commission for Social Development of exchanges of information on activities with other functional commissions of the Economic and Social Council with mandates in the social development sector, in particular the Commission on the Status of Women and the Population Commission,

Concerned that the Commission should have available to it sufficient information on social development activities within the United Nations system to enable it to make an appropriate contribution towards the fulfilment of overall development objectives, and to provide appropriate direction to the Centre for Social Development and Humanitarian Affairs with respect to its work in the field of social development,

Recalling General Assembly resolutions 36/228 A and B of 18 December 1981, in which guidelines were laid down by which organizations in the United Nations system were to create mechanisms for the evaluation of their work, and in which the Secretary-General was requested to strengthen the United Nations evaluation system through a series of five separate actions, including self-evaluation,

Recognizing that programmes in the field of social development are formulated within the framework of the medium-term plan, and of the biennial budgets established in accordance with that plan,

1. *Requests* the Secretary-General to make available to the Commission for Social Development at future sessions such details as may be available of the proposed programme of work for the forthcoming biennium so as to

allow the Commission to make recommendations on matters pertaining to the social sector to the appropriate intergovernmental bodies;

2. *Encourages* the Secretary-General to make available to the Economic and Social Council information on areas of complementarity among the work programmes of the Commission for Social Development, the Commission on the Status of Women, the Population Commission and other relevant bodies, and to optimize the flow of information on social development within the United Nations system;

3. *Recommends* that the Centre for Social Development and Humanitarian Affairs, in preparing its overview reports for the Commission for Social Development, should draw on information relating to the activities of the specialized agencies in the social development field and such other information as it considers appropriate;

4. *Requests* the Committee for Programme and Co-ordination to review the current evaluation timetable and to study the possibility of conducting an in-depth evaluation of the effectiveness, relevance and impact of United Nations social development activities, with a view to submitting it to the Commission for Social Development.

*23rd plenary meeting
29 May 1985*

1985/37. The administration of justice and the human rights of detainees

The Economic and Social Council,

1. *Authorizes* the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a special rapporteur to carry out the work referred to in paragraph 1 of Sub-Commission resolution 1983/30 of 6 September 1983⁸⁵ and Commission on Human Rights resolution 1983/18 of 22 February 1983⁸⁶ and decision 1984/104 of 6 March 1984⁸⁷ on an annual basis;

2. *Requests* the Secretary-General to give the special rapporteur all the assistance he may require in his work;

3. *Requests* the special rapporteur to submit his first annual report to the Sub-Commission at its thirty-ninth session.

*25th plenary meeting
30 May 1985*

1985/38. United Nations Voluntary Fund for Indigenous Populations

The Economic and Social Council,

Recalling its resolution 1982/34 of 7 May 1982, authorizing the establishment annually of a working group on indigenous populations,

Recommends the following draft resolution to the General Assembly for adoption:

"The General Assembly,

"Taking note of Economic and Social Council resolution 1982/34 of 7 May 1982, by which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations,

"Taking note of Commission on Human Rights resolution 1984/43 of 12 March 1984,⁸⁷

⁸⁵ See E/CN.4/1984/3 and Corr. 1 and 2, chap. XXI.

⁸⁶ See *Official Records of the Economic and Social Council, 1983, Supplement No. 3* (E/1983/13 and Corr. 1), chap. XXVII.

⁸⁷ *Ibid.*, 1984, Supplement No. 4 (E/1984/14 and Corr. 1), chap. II.

"*Convinced* that the establishment of a voluntary trust fund for indigenous populations would constitute a significant development for the future promotion and protection of the human rights of indigenous populations,

"*Decides* to establish a voluntary trust fund in accordance with the following criteria:

"(a) The name of the fund shall be the United Nations Voluntary Fund for Indigenous Populations;

"(b) The purpose of the Fund shall be to assist representatives of indigenous communities and organizations to participate in the deliberations of the Working Group on Indigenous Populations by providing them with financial assistance, funded by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities;

"(c) The only type of activity to be supported by the Fund is that described in subparagraph (b) above;

"(d) The only beneficiaries of assistance from the Fund shall be representatives of indigenous peoples' organizations and communities:

"(i) Who are so considered by the Board of Trustees described in subparagraph (e) below;

"(ii) Who would not, in the opinion of the Board, be able to attend the sessions of the Working Group without the assistance provided by the Fund;

"(iii) Who would be able to contribute to a deeper knowledge on the part of the Working Group of the problems affecting indigenous populations and who would secure a broad geographic representation;

"(e) The Fund shall be administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions set forth in the annex to the note by the Secretary-General,⁸⁸ with the advice of a Board of Trustees composed of five persons with relevant experience on issues affecting indigenous populations, who will serve in their personal capacity; the members of the Board of Trustees shall be appointed by the Secretary-General for a three-year term renewable in consultation with the current Chairman of the Sub-Commission; at least one member of the Board shall be a representative of a widely recognized organization of indigenous people."

25th plenary meeting
30 May 1985

1985/39. Situation in Equatorial Guinea

The Economic and Social Council,

Recalling its resolutions 1982/36 of 7 May 1982, 1983/35 of 27 May 1983 and 1984/36 of 24 May 1984,

Bearing in mind Commission on Human Rights resolution 1985/30 of 11 March 1985,⁸⁹

Considering that the conclusions and recommendations⁹⁰ of the expert appointed by the Secretary-General pursuant to Council resolution 1984/36 concerning his recent mission to Equatorial Guinea indicate that more needs to be done by the United Nations and the Government of Equatorial Guinea to implement and make better use of the plan of action⁹¹ proposed by the United Nations

and accepted by the Government of Equatorial Guinea,

1. *Requests* the Government of Equatorial Guinea to consider the possibility of continuing to implement the plan of action, taking particular account of the expert's new proposals, especially those concerning amendments to the Fundamental Law of that country;

2. *Further requests* the Government of Equatorial Guinea to take steps to facilitate the repatriation of all refugees and exiles, including the adoption of measures enabling all citizens of Equatorial Guinea to participate fully in the country's political, economic, social and cultural affairs, thus helping to relieve the shortage of specialized personnel mentioned in the report of the expert;

3. *Appeals* to the Government of Equatorial Guinea to accede to the International Covenant on Economic, Social and Cultural Rights,⁹² the International Covenant on Civil and Political Rights⁹² and the Optional Protocol to the International Covenant on Civil and Political Rights,⁹² among other international instruments concerning human rights and fundamental freedoms;

4. *Requests* the Secretary-General, in accordance with the report of the expert, to hold discussions with the Government of Equatorial Guinea with a view to carrying out the expert's recommendations regarding assistance to that country, so that the plan of action can be fully implemented in the interests of the full and effective observance of human rights and fundamental freedoms;

5. *Further requests* the Secretary-General to appoint an expert to co-operate with the Government of Equatorial Guinea in the full implementation of the plan of action proposed by the United Nations and accepted by that Government;

6. *Requests* the Commission on Human Rights to consider this matter further at its forty-second session.

25th plenary meeting
30 May 1985

1985/40. Summary or arbitrary executions

The Economic and Social Council,

Recalling the Universal Declaration of Human Rights,⁹³ 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,⁹⁴ 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 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 36/33 of 9 November 1981, 37/182 of 17 December 1982, 38/96 of 16 December 1983 and 39/110 of 14 December 1984,

Taking note of resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,⁹⁵ in which the Sub-Commission recommended that effective measures should

⁸⁸ E/CN.4/Sub.2/1983/20.

⁸⁹ See *Official Records of the Economic and Social Council, 1985, Supplement No. 2 (E/1985/22)*, chap. II.

⁹⁰ E/CN.4/1985/9, chap. II.

⁹¹ *Ibid.*, annex II.

⁹² General Assembly resolution 2200 A (XXI), annex.

⁹³ General Assembly resolution 217 A (III).

⁹⁴ General Assembly resolution 2200 A (XXI), annex.

⁹⁵ See E/CN.4/1983/4 and Corr. I.