

of 1985 to allow enough time for a full discussion of this important matter;

12. *Requests* the Secretary-General to submit to the General Assembly at its fortieth session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

13. *Again urges* the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps within existing resources to give more publicity to the work of the Committee and, similarly, to the work of the Economic and Social Council and its Sessional Working Group and to improve administrative and related arrangements to enable them to carry out their respective functions effectively under the International Covenants on Human Rights;

14. *Urges* the Secretary-General to continue to expedite the publication of the official public records of the Human Rights Committee in bound volumes, as indicated in General Assembly resolution 37/191, starting with its first session;

15. *Requests* the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights.

*101st plenary meeting
14 December 1984*

39/137. Elaboration of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty

The General Assembly,

Recalling its decision 35/437 of 15 December 1980 and its resolution 36/59 of 25 November 1981 concerning the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights,¹⁸⁹ aiming at the abolition of the death penalty,

Recalling also its resolution 37/192 of 18 December 1982, in which it requested the Commission on Human Rights to consider the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,

Taking note of Commission on Human Rights resolution 1984/19 of 6 March 1984¹⁹⁰ and the action taken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to implement that resolution,¹⁹¹

Taking note also of the report of the Secretary-General,¹⁹²

1. *Requests* the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider further the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

2. *Invites* Member States which are in a position to do so, specialized agencies and international organizations to

assist the Commission and the Sub-Commission in the consideration of this question;

3. *Requests* the Secretary-General to inform the General Assembly at its forty-second session of the consideration given to this question by the Commission and the Sub-Commission;

4. *Decides* to continue its consideration of this question at its forty-second session, in the light of the action taken by the Commission and the Sub-Commission, under the item entitled "International Covenants on Human Rights".

*101st plenary meeting
14 December 1984*

39/138. Reporting obligations of States parties to United Nations conventions on human rights

The General Assembly,

Recalling its resolutions 37/44 of 3 December 1982 and 38/117 of 16 December 1983,

Considering that the General Assembly, as the principal organ of the United Nations entitled to adopt conventions on human rights, is in the position to take an overview of their implementation as an integrated system of substantive provisions and reporting obligations of States parties to the various conventions,

Conscious that the fulfilment of reporting obligations constitutes an essential element of co-operation by States parties in contributing to the assessment of their compliance with their obligations,

Bearing in mind the report of the Secretary-General on the reporting obligations of States parties under various United Nations conventions on human rights,¹⁹³

Having considered the report of the meeting of the Chairmen of the Commission on Human Rights, the Human Rights Committee, the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination held at Geneva on 16 and 17 August 1984,¹⁹⁴

Concerned about the problems experienced by the above-mentioned bodies in the functioning of the reporting procedures, including the burden which several co-existing reporting systems place upon States parties to the conventions on human rights,

Convinced, therefore, of the need to improve the existing reporting systems in order to resolve the problems experienced both by the bodies entrusted with the consideration of the periodic reports of the States parties and by the States parties to the conventions on human rights,

1. *Reiterates* the importance it attaches to the obligations established under international conventions, including their respective reporting systems;

2. *Takes note with interest* of the report of the meeting of the Chairmen of the Commission on Human Rights, the Human Rights Committee, the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination, which contains suggestions made by the

¹⁸⁹ See resolution 2200 A (XXI), annex.

¹⁹⁰ See *Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14 and Corr.1)*, chap. II, sect. A.

¹⁹¹ See E/CN.4/1985/3-E/CN.4/Sub.2/1984/43, chap. XVIII, sect. A, resolution 1984/7.

¹⁹² A/39/535.

¹⁹³ A/38/393.

¹⁹⁴ A/39/484, annex.

Chairmen with regard to exchange of information among their respective bodies, co-ordination of guidelines for the submission of the reports of States parties, advisory services and assistance for States parties to the various conventions on human rights, and other matters;¹⁹⁵

3. *Expresses the view* that the presence at the above-mentioned meeting of the Chairmen of all bodies concerned with reporting obligations of States parties to United Nations conventions on human rights would have further contributed to the review of problems experienced in the functioning of reporting procedures;

4. *Acknowledges* that common problems have arisen in the functioning of the reporting procedures, thus indicating the necessity of considering them within the overall framework of reporting obligations of States parties under the various conventions on human rights;

5. *Decides* to keep under consideration the problems that have arisen from the coexistence of several different reporting systems, in particular the proliferation of reporting obligations under the various instruments, as well as the serious delays which have occurred in the submission of reports;

6. *Requests* the Secretary-General, to that effect, to submit to the General Assembly at its fortieth session a report containing:

(a) Updated information on the general situation of the submission of reports of States parties to all conventions which are already in force, thus enabling the General Assembly to take an overview of the fulfilment of all reporting obligations and to consider how to achieve an improvement, particularly in the interest of States parties with limited technical and administrative resources;

(b) A consolidated text of the guidelines of the various bodies entrusted with the consideration of the reports of States parties on the implementation of all United Nations conventions on human rights;

7. *Requests* the Commission on Human Rights to consider, in the context of its standing item concerning advisory services in the field of human rights, the suggestions made by the Chairmen;

8. *Decides* to consider the question of reporting obligations of States parties to United Nations conventions on human rights in the light of the report of the Secretary-General to be submitted in accordance with paragraph 6 above and to consider also the eventual convening of another meeting of the Chairmen of the bodies entrusted with the consideration of the reports of States parties;

9. *Invites* the bodies concerned to give particular attention to the present resolution when they next meet;

10. *Decides* to consider the question at its fortieth session, in the light of the report of the Secretary-General to be submitted in accordance with paragraph 6 above.

101st plenary meeting
14 December 1984

39/139. Second International Conference on Assistance to Refugees in Africa

The General Assembly,

Recalling its resolutions 37/197 of 18 December 1982 and 38/120 of 16 December 1983,

Having considered the report of the Secretary-General on the Second International Conference on Assistance to

Refugees in Africa, held at Geneva from 9 to 11 July 1984,¹⁹⁶

Welcoming the results obtained by the Conference, in particular the adoption of the Declaration and Programme of Action,¹⁹⁷ which provide the international community with a collective strategy to achieve lasting solutions,

Gravely concerned at the persistent and serious problem of large numbers of refugees on the African continent,

Aware of the economic and social burden borne by African countries of asylum on account of the presence of these refugees and its consequences for their national development and of the heavy sacrifices made by them, despite their limited resources,

Recognizing the universal collective responsibility of sharing the urgent and overwhelming burden of the problem of African refugees through effective mobilization of resources to meet the urgent and long-term needs of the refugees and to strengthen the capacity of countries of asylum to provide adequately for the refugees while they remain in those countries, as well as to assist the countries of origin in the rehabilitation of voluntary returnees,

Emphasizing the vital importance of the complementarity between refugee aid and development assistance,

Noting with satisfaction the wide participation of Member States, specialized agencies and intergovernmental and non-governmental organizations, and the commitments and pledges made at the Conference,

1. *Expresses its appreciation* to the Secretary-General of the United Nations, the Secretary-General of the Organization of African Unity, the United Nations High Commissioner for Refugees and the Administrator of the United Nations Development Programme for their commendable effort in organizing the Second International Conference on Assistance to Refugees in Africa;

2. *Endorses* the Declaration and Programme of Action of the Second International Conference on Assistance to Refugees in Africa;¹⁹⁷

3. *Expresses its deep appreciation* to African host countries, which are the biggest donors, for their generous contribution and continuous efforts to alleviate the plight of refugees in spite of their critical economic situation;

4. *Expresses once again its appreciation* to the international community and, in particular, to all donor countries, specialized agencies, regional organizations and intergovernmental and non-governmental organizations for their support and initial response to the projects submitted to the Conference;

5. *Urges* the international community to maintain the momentum created by the Conference and to translate into reality the projects submitted as well as the principles in the Declaration and Programme of Action agreed upon by the Conference;

6. *Emphasizes* the vital importance of the complementarity of refugee aid and development assistance and of achieving durable solutions to the problems of refugees in Africa through the voluntary repatriation or local integration of refugees and the necessity of providing assistance for the strengthening of the social and economic infrastructures of African countries receiving refugees and returnees;

7. *Requests* the United Nations High Commissioner for Refugees to continue to keep the situation of refugees in Africa under constant review with a view to providing

¹⁹⁵ *Ibid.*, sect. V.

¹⁹⁶ A/39/402 and Add.1 and 2.

¹⁹⁷ A/39/402, annex.