

formation on the implementation of the present resolution;

8. *Requests* the Secretary-General to submit a report, through the Economic and Social Council, to the General Assembly at its forty-fifth session in the light of the discussion that will take place in the Commission on Human Rights and on the basis of comments provided by States and international organizations.

*75th plenary meeting  
8 December 1988*

#### 43/151. Summary or arbitrary executions

*The General Assembly,*

*Recalling* the provisions of the Universal Declaration of Human Rights,<sup>2</sup> in which it is stated that every human being has the right to life, liberty and security of person,

*Having regard* to the provisions of the International Covenant on Civil and Political Rights,<sup>20</sup> 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 also* its resolution 34/175 of 17 December 1979, in which it 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,

*Recalling further* its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986 and 42/141 of 7 December 1987,

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

*Recalling* resolution 1982/13 of 7 September 1982 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>166</sup> in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

*Recalling also* Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15,<sup>167</sup>

*Welcoming* the close co-operation established between the Centre for Human Rights, the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control with regard to the elaboration of the principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

*Taking note* of the recommendation by the Committee on Crime Prevention and Control concerning "Draft principles on the effective prevention and investigation of extra-legal, arbitrary and summary executions"<sup>168</sup> for consideration and adoption by the Economic and Social Council,

*Convinced* of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. *Once again strongly condemns* the large number of summary or arbitrary executions, including extra-legal executions, that continue to take place in various parts of the world;

2. *Demands* that the practice of summary or arbitrary executions be brought to an end;

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

4. *Recalls* Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint a special rapporteur to consider the questions related to summary or arbitrary executions;

5. *Welcomes* Economic and Social Council resolution 1988/38 of 7 May 1988, in which the Council decided to renew the mandate of the Special Rapporteur, Mr. S. A. Wako, for two years, while keeping the annual reporting cycle, and requested the Commission on Human Rights to consider the question of summary or arbitrary executions as a matter of high priority at its forty-fifth session;

6. *Urges* all Governments, in particular those which have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned, to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

7. *Requests* the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred; and, furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;

8. *Welcomes* the recommendations made by the Special Rapporteur in his reports<sup>169</sup> to the Commission on Human Rights at its forty-third and forty-fourth sessions with a view to eliminating summary or arbitrary executions;

9. *Encourages* Governments, international organizations and non-governmental organizations to organize training programmes and to support projects with a view to training or educating law enforcement officials in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

10. *Invites* Governments, international organizations and non-governmental organizations to support the efforts made in United Nations forums towards the adoption of an international instrument that would incorporate inter-

<sup>166</sup> See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.

<sup>167</sup> See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders*, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1) chap. I, sect. E.

<sup>168</sup> E/AC.57/1988/L.20 and E/AC.57/1988/NGO.4.

<sup>169</sup> See E/CN.4/1987/20 and E/CN.4/1988/22 and Add.1 and 2.

national standards for proper investigation of all cases of death in suspicious circumstances, including provision for adequate autopsy;

11. *Endorses* the proposals of the Special Rapporteur concerning the elements to be included in such international standards;

12. *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, non-governmental organizations in consultative status with the Economic and Social Council, as well as medical and forensic experts;

13. *Requests* the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

14. *Again requests* the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights<sup>20</sup> appear not to have been respected;

15. *Requests* the Commission on Human Rights at its forty-fifth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40, 1986/36, 1987/60 and 1988/38, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

*75th plenary meeting  
8 December 1988*

#### **43/152. Regional arrangements for the promotion and protection of human rights**

*The General Assembly,*

*Recalling* its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights, in particular resolutions 41/153 and 41/154 of 4 December 1986,

*Recalling* that, in its resolution 41/154, the General Assembly invited the Secretary-General to submit to the Assembly at its forty-third session a report on the state of regional arrangements for the promotion and protection of human rights, and to include therein the results of action taken in pursuance of that resolution,

*Recalling* Commission on Human Rights resolution 1987/37 of 10 March 1987<sup>61</sup> and taking note of Commission resolution 1988/54 of 8 March 1988<sup>27</sup> concerning advisory services in the field of human rights,

*Recalling also* Commission on Human Rights resolution 1987/41 of 10 March 1987<sup>61</sup> and taking note of Commission resolution 1988/73 of 10 March 1988<sup>27</sup> concerning regional arrangements for the promotion and protection of human rights in the Asian-Pacific region,

*Having considered* the report of the Secretary-General on regional arrangements for the promotion and protection of human rights,<sup>170</sup>

*Noting with satisfaction* the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the

specialized agencies and the regional intergovernmental organizations,

*Reaffirming* that regional arrangements for the promotion and protection of human rights may make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions, within the United Nations system, may be improved,

1. *Takes note* of the report of the Secretary-General;

2. *Notes with interest* that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, particularly those relating to the organization of regional and subregional training courses in the field of human rights;

3. *Requests* the Secretary-General to continue to consider the possibility of encouraging these developments;

4. *Invites* States in areas where regional arrangements in the field of human rights do not yet exist to consider concluding agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

5. *Welcomes* the fact that subprogramme 5 of the medium-term plan of activities concerning advisory services and technical assistance activities in the field of human rights, to which the Secretary-General refers in his report, provides for the establishment of regional arrangements where they are still lacking;

6. *Notes* the announcement by the Secretary-General in his report that, for the advancement of the above-mentioned objective, it is useful to hold seminars in the regions concerned which will draw upon the knowledge and experience of the United Nations development agencies in those regions, as well as upon the experience gained through established arrangements in other regions;

7. *Endorses* the appeal made to all Governments, in Commission on Human Rights resolution 1988/54, to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international bodies;

8. *Requests* the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

9. *Invites* the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

10. *Decides* to consider this question further at its forty-fifth session.

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#### **43/153. Human rights in the administration of justice**

*The General Assembly,*

*Guided* by the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights,<sup>2</sup> as well as the relevant provisions of the International Cove-

<sup>170</sup> A/43/328.