

and to ensure, by both administrative and legislative measures, that the territory of those States and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries, or the planning of such activities designed to destabilize or overthrow the Government of any State and to fight the national liberation movements struggling against racism, *apartheid*, colonial domination and foreign intervention and occupation for their independence, territorial integrity and national unity;

5. *Urges* all States to take the necessary measures under their respective domestic laws to prohibit the recruitment, financing, training and transit of mercenaries on their territory;

6. *Calls upon* all States to extend humanitarian assistance to victims of situations resulting from the use of mercenaries, as well as from colonial or alien domination or foreign occupation;

7. *Considers* it inadmissible to use channels of humanitarian and other assistance to finance, train and arm mercenaries;

8. *Welcomes with satisfaction* the appointment by the Commission on Human Rights, in its resolution 1987/16 of 9 March 1987,<sup>26</sup> of a special rapporteur to study the matter with a view to preparing a report for consideration by the Commission at its forty-fourth session and requests that the report be transmitted to the General Assembly at its forty-third session;

9. *Decides* to pay due attention to the matter at its forty-third session under the item entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".

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#### 42/97. Elimination of all forms of religious intolerance

*The General Assembly,*

*Conscious* of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

*Reaffirming* its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

*Recalling* its resolution 41/112 of 4 December 1986, in which it requested the Commission on Human Rights to continue its consideration of measures to implement the Declaration,

*Encouraged* by the efforts being made by the Commission on Human Rights and by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to study relevant developments affecting the implementation of the Declaration,

*Taking note of* Commission on Human Rights resolution 1987/15 of 4 March 1987<sup>26</sup> and Economic and Social Council decision 1987/143 of 29 May 1987, whereby the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate, was extended for one year,

*Noting with satisfaction* that the Sub-Commission on Prevention of Discrimination and Protection of Minorities examined at its thirty-ninth session the study concluded by the Special Rapporteur,<sup>77</sup> in accordance with Sub-Commission resolution 1983/31 of 6 September 1983,<sup>78</sup> on the current dimensions of the problems of intolerance and of discrimination on the grounds of religion or belief and laid the foundation in its resolution 1987/33 of 4 September 1987<sup>79</sup> for future in-depth study of aspects of the issues raised in the study,

*Emphasizing* that non-governmental organizations and religious bodies and groups at every level have an important role to play in the promotion of tolerance and the protection of freedom of religion or belief,

*Seriously concerned* that intolerance and discrimination on the grounds of religion or belief continue to exist in many parts of the world,

*Believing* that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of intolerance and discrimination based on religion or belief,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a right guaranteed to all without discrimination;

2. *Urges* States, therefore, in accordance with their respective constitutional systems and with such internationally accepted instruments as the Universal Declaration of Human Rights,<sup>2</sup> the International Covenant on Civil and Political Rights<sup>13</sup> and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief to provide, where they have not already done so, adequate constitutional and legal guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies where there is intolerance or discrimination based on religion or belief;

3. *Stresses*, in this connection, the value of the work in progress in the Commission on Human Rights on the preparation of a compendium of national legislation and regulations on the question of freedom of religion or belief and invites States to provide the necessary information to the Secretary-General, with particular regard to the measures taken to combat intolerance or discrimination in this field;

4. *Urges* all States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief and, in this context, to examine where necessary the supervision and training of their civil servants, educators and other public officials to ensure that, in the course of their official duties, they respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

5. *Invites* the United Nations University and other academic and research institutions to undertake programmes and studies on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief;

6. *Considers* it desirable to enhance the promotional and public information activities of the United Nations in matters relating to freedom of religion or belief;

7. *Invites* the Secretary-General to continue to give high priority to the dissemination of the text of the Decla-

<sup>77</sup> E/CN.4/Sub.2/1987/26.

<sup>78</sup> See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A.

<sup>79</sup> See E/CN.4/1988/37-E/CN.4/Sub.2/1987/42 and Corr.1, chap. I, sect. B.

ration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, in all the official languages of the United Nations, and to take all appropriate measures to make the text available for use by United Nations information centres, as well as by other interested bodies;

8. *Requests* the Secretary-General in this context to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

9. *Urges* all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

10. *Welcomes* the renewal of the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

11. *Requests* the Commission on Human Rights at its forty-fourth session to consider the study of the current dimensions of the problems of intolerance and discrimination on the grounds of religion or belief in the light of the observations transmitted to it by the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

12. *Notes* that the Commission on Human Rights intends to consider also at its forty-fourth session the question of a binding international instrument in this field and emphasizes, in this connection, the relevance of General Assembly resolution 41/120 of 4 December 1986 entitled "Setting international standards in the field of human rights";

13. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its forty-third session;

14. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Elimination of all forms of religious intolerance" and to consider the report of the Commission on Human Rights under that item.

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#### **42/98. Implications of scientific and technological developments for human rights**

*The General Assembly,*

*Recalling* its resolution 33/53 of 14 December 1978, in which it requested the Commission on Human Rights to urge the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake, as a matter of priority, a study of the question of the protection of those detained on the grounds of mental ill-health, with a view to formulating guidelines,

*Mindful* of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,<sup>80</sup>

*Recalling also* its resolution 41/114 of 4 December 1986, in which it again urged the Commission on Human Rights and the Sub-Commission to expedite their consideration of this question, so that the Commission could submit its views and recommendations, including a draft body of guidelines, principles and guarantees, to the General Assembly at its forty-third session, through the Economic and Social Council,

*Reaffirming* Commission on Human Rights resolution 1986/12 of 10 March 1986,<sup>61</sup>

*Taking note* of resolution 1987/22 of 3 September 1987 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,<sup>81</sup>

*Expressing deep concern* at the repeated evidence of the misuse of psychiatry to detain persons on non-medical grounds, as reflected in the report of the Special Rapporteur of the Sub-Commission,<sup>82</sup>

*Reaffirming its conviction* that detention of persons in mental institutions on account of their political views or on other non-medical grounds is a violation of their human rights,

*Noting* that, because the Working Group of the Sub-Commission has made only limited progress so far, the Sub-Commission is still far from concluding its consideration of the draft body of guidelines, principles and guarantees,

1. *Again urges* the Commission on Human Rights and, through it, the Sub-Commission on Prevention of Discrimination and Protection of Minorities to expedite their consideration of the draft body of guidelines, principles and guarantees, so that the Commission can submit its views and recommendations, including a draft body of guidelines, principles and guarantees, to the General Assembly at its forty-fourth session, through the Economic and Social Council;

2. *Invites* the Commission on Human Rights at its forty-fourth session to consider the question of the emphasis to be attached to the Working Group, in the light of the Sub-Commission's discussion at its thirty-ninth session.

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#### **42/99. Human rights and use of scientific and technological developments**

*The General Assembly,*

*Reaffirming* the determination of the peoples of the United Nations to save succeeding generations from the scourge of war, to reaffirm faith in the dignity and worth of the human person, to maintain international peace and security and to develop friendly relations among peoples and international co-operation in promoting and encouraging universal respect for human rights and fundamental freedoms,

*Recalling* the relevant provisions of the Universal Declaration of Human Rights,<sup>2</sup> the International Covenant on Economic, Social and Cultural Rights<sup>13</sup> and the International Covenant on Civil and Political Rights,<sup>13</sup>

*Recalling further* the Declaration on the Strengthening of International Security,<sup>83</sup> the Declaration on the Use of Scientific and Technological Progress in the Interests of

<sup>81</sup> See E/CN.4/1988/37-E/CN.4/Sub.2/1987/42 and Corr.1, chap. II, sect. A.

<sup>82</sup> E/CN.4/Sub.2/1983/17.

<sup>83</sup> Resolution 2734 (XXV).

<sup>80</sup> Resolution 37/194, annex.