

12. *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 Rights¹³ appear not to be respected;

13. *Requests* the Commission on Human Rights at its forty-fourth 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 and 1987/60, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

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42/142. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 41/145 of 4 December 1986 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1987/27 of 10 March 1987,²⁶

1. *Expresses its appreciation* to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;

2. *Welcomes* the decision of the Commission on Human Rights to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980,⁵⁵ while maintaining the principle of annual reporting by the Group;

3. *Also welcomes* the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986⁶¹ to enable the Working Group to fulfil its mandate with greater efficiency;

4. *Appeals* to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group, to co-operate fully with the Group so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role;

5. *Encourages* the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling the Group to fulfil its mandate even more effectively;

6. *Appeals* to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or any ill-treatment of which they may be the target;

7. *Calls upon* the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Group to the Commission at its forty-fourth session;

8. *Renews its request* to the Secretary-General to continue to provide the Working Group with all necessary facilities.

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42/143. 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,² as well as the relevant provisions of the International Covenant on Civil and Political Rights,¹³ in particular article 6, which explicitly states that no one shall be arbitrarily deprived of his life,

Guided also by the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁴² and in the International Convention on the Elimination of All Forms of Racial Discrimination,³

Calling attention to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power¹⁶⁶ and the safeguards guaranteeing protection of the rights of those facing the death penalty, approved by the Economic and Social Council in its resolution 1984/50 of 25 May 1984 and endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹⁶⁷ as well as to the Basic Principles on the Independence of the Judiciary,¹⁶⁸ the Code of Conduct for Law Enforcement Officials¹³⁹ and the Standard Minimum Rules for the Treatment of Prisoners,¹⁶⁹

Considering the importance of progress with regard to the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,

Further calling attention to the prohibition under article 6 of the International Covenant on Civil and Political Rights of the imposition of the death penalty for crimes committed by persons below 18 years of age,

Recognizing the significant contributions of the programme of work of the United Nations in the field of crime prevention and criminal justice to international co-operation in the field of human rights in the administration of justice, as reaffirmed, *inter alia*, by the Economic and Social Council in its resolutions 1987/49 and 1987/53 of 28 May 1987,

Acknowledging the important work accomplished by the Commission on Human Rights at its forty-third session in this field, as reflected in its resolutions 1987/33 of 10 March 1987 on human rights in the administration of justice and 1987/57 of 11 March 1987 on summary or arbitrary executions,²⁶

¹⁶⁶ Resolution 40/34, annex.

¹⁶⁷ 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.15.

¹⁶⁸ *Ibid.*, sect. D.2.

¹⁶⁹ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955: report prepared by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

Convinced of the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice,

1. *Reiterates its call upon* Member States to bring to an end the continued use of cruel, inhuman or degrading treatment or punishment, prohibited under international law, and strongly condemns the practice of summary or arbitrary executions;
2. *Urges* Member States to spare no effort in providing for effective legislative and other mechanisms and procedures and adequate resources to ensure more effective implementation of existing international standards relating to human rights in the administration of justice;
3. *Welcomes* the recommendations made by the Commission on Human Rights in its resolution 1987/33 on more effective implementation of existing international standards relating to human rights in the administration of justice and the need for strengthening co-ordinated national and international action in this regard;
4. *Encourages* the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Human Rights Committee and the Committee on Crime Prevention and Control, as well as regional and interregional human rights, crime prevention and criminal justice institutes and other entities of the United Nations system concerned to intensify their co-operation in matters relating to human rights in the administration of justice and invites the Economic and Social Council to co-ordinate such efforts;
5. *Encourages* the continuing development of strategies for the practical implementation of United Nations standards and norms on human rights in the administration of justice and of measures to assist Member States, at their request, in this implementation, as well as in evaluating their impact and effectiveness, in particular under the advisory services of the Department of Technical Co-operation for Development, the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat;
6. *Notes with appreciation* the steps initiated by the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs to ensure closer co-operation in this field, including preparations for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;
7. *Recognizes* the important role of the specialized agencies and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations concerned, in promoting human rights in the administration of justice and invites them to continue to co-operate with the Secretary-General to this effect;
8. *Decides* to consider at its forty-third session the question of human rights in the administration of justice.

*93rd plenary meeting
7 December 1987*

42/144. Human rights and mass exoduses

The General Assembly,

Mindful of its general humanitarian mandate under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms,

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in

many regions of the world and by the human suffering of millions of refugees and displaced persons,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject¹⁷⁰ and also in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,¹¹⁵

Aware of the recommendations concerning mass exoduses made by the Commission on Human Rights to its Sub-Commission on Prevention of Discrimination and Protection of Minorities and to special rapporteurs to be taken into account when they are studying violations of human rights in any part of the world,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own and upon the international community as a whole, by these sudden mass exoduses and displacements of population,

Stressing the need for international co-operation aimed at averting new massive flows of refugees in parallel with the provision of durable solutions to actual refugee situations,

Taking note once again of the report of the Secretary-General on human rights and mass exoduses,¹⁷¹

Recalling that the General Assembly at its forty-first session took note of the recommendations and conclusions contained in the report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,¹¹⁵

Recalling its resolutions 35/196 of 15 December 1980, 37/186 of 17 December 1982, 38/103 of 16 December 1983, 39/117 of 14 December 1984, 40/149 of 13 December 1985, 41/70 of 3 December 1986 and 41/148 of 4 December 1986, and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980,⁵⁵ 29 (XXXVII) of 11 March 1981,⁵⁶ 1982/32 of 11 March 1982,⁵⁷ 1983/35 of 8 March 1983,⁵⁸ 1984/49 of 14 March 1984,⁵⁹ 1985/40 of 13 March 1985,⁶⁰ 1986/45 of 12 March 1986⁶¹ and 1987/56 of 11 March 1987,²⁶

Welcoming the steps taken by the Secretary-General to establish an early warning system, as mentioned in his report on the work of the Organization¹⁷² submitted to the General Assembly at its forty-first session,

1. *Welcomes* the steps taken so far by the United Nations to examine the problem of massive outflows of refugees and displaced persons in all its aspects, including its root causes;
2. *Recalls* the recommendation of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees that the principal organs of the United Nations should make fuller use of their respective competencies under the Charter for the prevention of new massive flows of refugees and displaced persons;
3. *Invites* all Governments and international organizations concerned to intensify their co-operation and assistance in world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses;
4. *Requests* all Governments to ensure the effective implementation of the relevant international instruments, in

¹⁷⁰ E/CN.4/1503.

¹⁷¹ A/38/538.

¹⁷² See *Official Records of the General Assembly, Forty-first Session, Supplement No. I (A/41/1)*.