

7. *Requests* the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees in their settlements;

8. *Requests* the Secretary-General, in consultation and co-ordination with the High Commissioner and the United Nations Development Programme, to submit to the General Assembly at its fortieth session, through the Economic and Social Council, a comprehensive report on the progress made in the implementation of the recommendations of the inter-agency technical follow-up missions and of the projects submitted by the Government of the Sudan to the Second International Conference on Assistance to Refugees in Africa, as well as on the implementation of the present resolution.

*101st plenary meeting
14 December 1984*

39/109. Assistance to student refugees in southern Africa

The General Assembly,

Recalling its resolution 38/95 of 16 December 1983, in which it, *inter alia*, requested the Secretary-General, in co-operation with the United Nations High Commissioner for Refugees, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia,

Having considered the report of the High Commissioner on the assistance programme to student refugees from South Africa and Namibia,⁸⁹

Noting with appreciation that some of the projects recommended in the report on assistance to student refugees in southern Africa have been successfully completed,

Noting with concern the continued influx into Botswana, Lesotho, Swaziland and Zambia of student refugees from South Africa, as well as from Namibia,

Convinced that the discriminatory policies and repressive measures being applied in South Africa and Namibia have led and continue to lead to a further exodus of student refugees from those countries,

Conscious of the burden placed on the limited financial, material and administrative resources of the host countries by the increasing number of student refugees,

Appreciating the efforts of the host countries to deal with their student refugee populations, with the assistance of the international community,

1. *Endorses* the assessments and recommendations contained in the report of the United Nations High Commissioner for Refugees and commends him for his efforts to mobilize resources and organize the programme of assistance for student refugees in the host countries of southern Africa;

2. *Expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for granting asylum and making educational and other facilities available to the student refugees, in spite of the pressure which the continuing influx of those refugees exerts on facilities in their countries;

3. *Also expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-

operation which they have extended to the High Commissioner on matters concerning the welfare of these refugees;

4. *Notes with appreciation* the financial and material support provided for the student refugees by Member States, the Office of the United Nations High Commissioner for Refugees, other bodies of the United Nations system and intergovernmental and non-governmental organizations;

5. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to organize and implement an effective programme of educational and other appropriate assistance for student refugees from Namibia and South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

6. *Urges* all Member States and intergovernmental and non-governmental organizations to continue contributing generously to the assistance programme for student refugees, through financial support of the regular programmes of the High Commissioner and of the projects and programmes, including unfunded projects, which were submitted to the Second International Conference on Assistance to Refugees in Africa,⁸⁸ held at Geneva from 9 to 11 July 1984;

7. *Also urges* all Member States and all intergovernmental and non-governmental organizations to assist the countries of asylum materially and otherwise to enable them to continue to discharge their humanitarian obligations towards refugees;

8. *Appeals* to the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and the United Nations Educational, Scientific and Cultural Organization, as well as other international and non-governmental organizations, to continue providing humanitarian and development assistance to expedite the settlement of student refugees from South Africa who have been granted asylum in Botswana, Lesotho, Swaziland and Zambia;

9. *Calls upon* agencies and programmes of the United Nations system to continue co-operating with the Secretary-General and the High Commissioner in the implementation of humanitarian programmes of assistance for the student refugees in southern Africa;

10. *Requests* the High Commissioner, in co-operation with the Secretary-General, to continue to keep the matter under review, to apprise the Economic and Social Council, at its second regular session of 1985, of the current status of the programmes and to report to the General Assembly at its fortieth session on the implementation of the present resolution.

*101st plenary meeting
14 December 1984*

39/110. Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights,⁹⁰ which states that every human being has the right to life, liberty and security of person and that everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal,

Having regard to the provisions of the International Covenant on Civil and Political Rights,⁹¹ which states that every human being has the inherent right to life, that this

⁸⁹ A/39/447.

⁹⁰ Resolution 217 A (III).

⁹¹ See resolution 2200 A (XXI), annex.

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 and 38/96 of 16 December 1983,

Deeply alarmed at the 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,⁹² in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions,

Taking note of the work done by the Committee on Crime Prevention and Control in the area of summary or arbitrary executions, including the elaboration of minimum legal guarantees and safeguards to prevent recourse to such extra-legal executions,⁹³ to be considered by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held from 26 August to 6 September 1985,

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

1. *Strongly deplores* the large number of summary or arbitrary executions, including extra-legal executions, which continue to take place in various parts of the world;

2. *Welcomes* Economic and Social Council resolutions 1982/35 of 7 May 1982, in which the Council decided to appoint for one year a special rapporteur to examine the questions related to summary or arbitrary executions, and 1983/36 of 26 May 1983, in which it decided to continue the mandate of the Special Rapporteur for another year;

3. *Also welcomes* Economic and Social Council resolution 1984/35 of 24 May 1984, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for a further year 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-first session;

4. *Appeals* to all Governments to co-operate with and assist the Special Rapporteur of the Commission on Human Rights in the preparation of his report;

5. *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;

6. *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 and non-governmental organizations in consultative status with the Economic and Social Council;

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

8. *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 Rights⁹¹ appear not to be respected;

9. *Requests* the Commission on Human Rights at its forty-first 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 and 1984/35, to make recommendations concerning appropriate action to combat and eventually eliminate the practice of summary or arbitrary executions.

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39/111. Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978, entitled "Disappeared persons", and its resolution 38/94 of 16 December 1983 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 should know the fate of their relatives,

Convinced of the importance of implementing the provisions of General Assembly resolution 33/173 and of the other United Nations resolutions on the question of enforced and 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 1984/23 of 6 March 1984,⁹⁴ in which the Commission decided to extend for one year the term of the mandate of the Working Group on Enforced or Involuntary Disappearances, and Economic and Social Council decision 1984/135 of 24 May 1984, in which the Council approved the Commission's decision,

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

2. *Welcomes* the decision of the Commission on Human Rights to extend for one year the term of the mandate of the Working Group, as laid down in Commission resolution 1984/23;

3. *Also welcomes* the provisions made by the Commission on Human Rights in its resolution 1984/23 to enable the Working Group to fulfil its mandate with even greater efficiency;

4. *Appeals* to all Governments to provide the Working Group and the Commission on Human Rights with the full co-operation warranted by their strictly humanitarian objectives and their working methods based on discretion;

5. *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

⁹² See E/CN.4/1983/4-E/CN.4/Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.

⁹³ See *Official Records of the Economic and Social Council, 1984, Supplement No. 6* (E/1984/16), chap. VII.

⁹⁴ *Ibid.*, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.