

national Covenant on Economic, Social and Cultural Rights,

*Noting also* that the United Nations Centre for Human Settlements (Habitat) is responsible for organizing the International Year of Shelter for the Homeless,

*Taking into account* Economic and Social Council resolution 1986/41 of 23 May 1986,

1. *Expresses its deep concern* that millions of people do not enjoy the right to adequate housing;
2. *Reiterates* the need to take, at the national and international levels, measures to promote the right of all persons to an adequate standard of living for themselves and their families, including adequate housing;
3. *Calls upon* all States and international organizations concerned to intensify their efforts to achieve the objectives and goals of the International Year of Shelter for the Homeless;
4. *Requests* the Commission on Human Rights and the Economic and Social Council to give special attention during the International Year of Shelter for the Homeless to the question of the realization of the right to adequate housing;
5. *Requests* the Secretary-General to pay appropriate attention to the question of promoting the right to adequate housing in the information he is to provide to the General Assembly on the results of the International Year of Shelter for the Homeless.

*97th plenary meeting  
4 December 1986*

#### 41/147. Status of the Convention on the Prevention and Punishment of the Crime of Genocide

*The General Assembly,*

*Recalling* its resolution 260 A (III) of 9 December 1948, by which it approved and proposed for signature and ratification or accession the Convention on the Prevention and Punishment of the Crime of Genocide,

*Reaffirming its conviction* that genocide is a crime under international law, contrary to the spirit and aims of the United Nations,

*Expressing its conviction* that implementation of the provisions of the Convention by all States is necessary for the prevention and punishment of the crime of genocide,

1. *Takes note* of the report of the Secretary-General;<sup>136</sup>
2. *Once again strongly condemns* the crime of genocide;
3. *Reaffirms* the necessity of international co-operation in order to liberate mankind from such an odious crime;
4. *Takes note with appreciation* of the fact that ninety-six States have ratified the Convention on the Prevention and Punishment of the Crime of Genocide or have acceded thereto;
5. *Urges* those States that have not yet become parties to the Convention to ratify it or accede thereto without further delay;

6. *Invites* the Secretary-General to submit to the General Assembly at its forty-second session a report on the status of the Convention.

*97th plenary meeting  
4 December 1986*

#### 41/148. 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, as indicated in the study of the Special Rapporteur of the Commission on Human Rights on this subject,<sup>137</sup>

*Considering* the efforts which have been made to address this subject within the United Nations, in particular by the Commission on Human Rights,

*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 when studying violations of human rights in any part of the world,

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

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

*Taking note* of the final report of the Group of Governmental Experts on International Co-operation to Avert New Flows of Refugees,<sup>99</sup>

*Taking note once again* of the report of the Secretary-General on human rights and mass exoduses,<sup>138</sup>

*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 and 40/149 of 13 December 1985 and Commission on Human Rights resolutions 30 (XXXVI) of 11 March 1980,<sup>25</sup> 29 (XXXVII) of 11 March 1981,<sup>26</sup> 1982/32 of 11 March 1982,<sup>27</sup> 1983/35 of 8 March 1983,<sup>28</sup> 1984/49 of 14 March 1984,<sup>29</sup> 1985/40 of 13 March 1985<sup>30</sup> and 1986/45 of 12 March 1986,<sup>31</sup>

*Welcoming* the steps taken by the Secretary-General to establish an early warning system, as mentioned in his report on the work of the Organization<sup>139</sup> 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 refu-

<sup>137</sup> E/CN.4/1503\*.

<sup>138</sup> A/38/538.

<sup>139</sup> *Official Records of the General Assembly, Forty-first Session, Supplement No. 1 (A/41/1).*

gees and displaced persons in all its aspects, including its root causes;

2. *Invites* Governments and international organizations to intensify their co-operation and assistance in world-wide efforts to address the serious problem of mass exoduses of refugees and displaced persons;

3. *Welcomes* the special interest which the Secretary-General has taken in this question, and reiterates its request to him to follow closely developments in the field of human rights and mass exoduses;

4. *Encourages* the efforts being undertaken by the Secretary-General to enable the United Nations to anticipate and react more adequately and speedily to cases requiring humanitarian assistance, as mentioned in the report of the Secretary-General on the work of the Organization<sup>140</sup> submitted to the General Assembly at its thirty-ninth session;

5. *Invites* the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to making appropriate recommendations concerning the further measures to be taken in this matter;

6. *Decides* to review the question of human rights and mass exoduses at its forty-second session.

*97th plenary meeting  
4 December 1986*

#### 41/149. 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 Covenant on Civil and Political Rights,<sup>22</sup> 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 Punishment<sup>141</sup> and in the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>3</sup>

*Calling attention* to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power<sup>142</sup> 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,<sup>143</sup>

*Calling attention also* to the Basic Principles on the Independence of the Judiciary,<sup>144</sup> the Code of Conduct for Law Enforcement Officials<sup>117</sup> and the Standard Minimum Rules for the Treatment of Prisoners,<sup>145</sup>

*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,

*Recalling* its resolutions 2858 (XXVI) of 20 December 1971, 3144 (XXVIII) of 14 December 1973 and 40/146 of 13 December 1985 on human rights in the administration of justice,

*Acknowledging* the important work accomplished by the Committee on Crime Prevention and Control at its ninth session and by the Economic and Social Council, as reflected in Council resolution 1986/10 of 21 May 1986,

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

1. *Deplores* 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. *Welcomes* the recommendations made by the Economic and Social Council in its resolution 1986/10 on the more effective application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, the Basic Principles on the Independence of the Judiciary, the Code of Conduct for Law Enforcement Officials and the safeguards guaranteeing protection of the rights of those facing the death penalty;

3. *Welcomes also* the recommendations made by the Economic and Social Council in its resolution 1986/10 on the prevention and investigation of extra-legal, arbitrary or summary executions and on new developments in the area of human rights in criminal justice and international co-operation, including the role of lawyers and model agreements in criminal justice;

4. *Encourages* the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to give urgent consideration to the issue of the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, taking into account the report of its Special Rapporteur on this subject;<sup>146</sup>

5. *Reiterates its call* upon Member States to spare no effort in providing for adequate mechanisms, procedures and resources so as to ensure the more effective implementation of existing standards, both in legislation and in practice;

6. *Requests* the Secretary-General to continue to assist Member States, at their request, in implementing these standards;

7. *Also requests* the Secretary-General to continue to employ his best endeavours in cases where the safeguards guaranteeing protection of the rights of those facing the death penalty are violated and to give his full support to the Special Rapporteur of the Sub-Commission so as to permit him to respond effectively to such violations and to promote the safeguards;

8. *Requests* the Economic and Social Council and, through it, the Committee on Crime Prevention and Control to keep these matters under constant review and to continue to give special attention to effective ways and means of implementing existing standards and to new developments in this area;

9. *Invites* the specialized agencies and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations concerned, to continue to co-operate with the Secretary-General in these endeavours;

<sup>140</sup> *Ibid.*, Thirty-ninth Session, Supplement No. 1 (A/39/1).

<sup>141</sup> Resolution 39/46, annex.

<sup>142</sup> Resolution 40/34, annex.

<sup>143</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.15.

<sup>144</sup> *Ibid.*, sect. D.2.

<sup>145</sup> *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.

<sup>146</sup> E/CN.4/Sub.2/1985/18 and Add.1-6.