

protection of the human rights of and assistance to internally displaced persons,

Welcoming the initiative of the Commission on Human Rights on this question and, in particular, its resolution 1992/73 of 5 March 1992,³² by which it requested the Secretary-General to appoint a representative to study the human rights issues related to internally displaced persons, and Commission resolution 1993/95 of 11 March 1993,³³ by which it requested the Secretary-General to mandate his representative for two years to continue his work aimed at a better understanding of the problems faced by internally displaced persons and their possible long-term solutions,

Bearing in mind the Vienna Declaration and Programme of Action,⁶ which calls for a comprehensive approach by the international community with regard to refugees and displaced persons,

Welcoming the support provided to the representative of the Secretary-General by the Office of the United Nations High Commissioner for Refugees, the Department for Humanitarian Affairs of the Secretariat and other intergovernmental and non-governmental organizations,

Welcoming also the decision by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees to extend, on a case-by-case basis and under specific circumstances, protection and assistance to the internally displaced,

Taking note of the comprehensive study of the representative of the Secretary-General,¹⁶⁸ submitted to the Commission on Human Rights at its forty-ninth session, and the useful suggestions and recommendations contained therein,

1. *Takes note with appreciation* of the report of the representative of the Secretary-General;¹⁶⁹

2. *Encourages* the representative, through dialogue with Governments, to continue his review of the needs for international protection of and assistance to internally displaced persons, including his compilation and analysis of existing rules and norms;

3. *Invites* the representative to present suggestions and recommendations with regard to ways and means, including the institutional aspects, of providing effective protection of and assistance to internally displaced persons;

4. *Calls upon* all Governments to continue to facilitate the activities of the representative, encourages them to give serious consideration to inviting the representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

5. *Urges* all concerned United Nations agencies and organizations to provide all possible assistance and support to the representative in the implementation of his programme of activities;

6. *Decides* to continue its consideration of this question at its fiftieth session.

85th plenary meeting
20 December 1993

48/136. Plight of street children

The General Assembly,

Recalling its resolution 47/126 of 18 December 1992,

Taking note of Commission on Human Rights resolution 1993/81 of 10 March 1993,³³

Welcoming the special attention given to the rights of children by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and welcoming in particular section I, paragraph 21, of the Vienna Declaration and Programme of Action,⁶

Recalling the Convention on the Rights of the Child⁵⁵ as a major contribution to the protection of the rights of all children, including street children,

Reaffirming that children are a particularly vulnerable section of society whose rights require special protection and that children living under especially difficult circumstances, such as street children, deserve special attention, protection and assistance from their families and communities and as part of national efforts and international cooperation,

Recognizing that all children have the right to health, shelter and education, to an adequate standard of living and to freedom from violence and harassment,

Deeply concerned about the growing number of street children worldwide and the squalid conditions in which these children are often forced to live,

Profoundly concerned that the killing of and violence against street children threatens the most fundamental right of all, the right to life,

Alarmed at continuing serious offences of this nature against street children,

Recognizing the responsibility of Governments to investigate all cases of offences against children and to punish offenders,

Recognizing also that legislation *per se* is not enough to prevent violations of human rights, including those of street children, and that Governments should implement their laws and complement legislative measures with effective action, *inter alia*, in the fields of law enforcement and in the administration of justice,

Welcoming the efforts made by some Governments to take effective action to address the question of street children,

Welcoming also the publicity given to, and the increased awareness of, the plight of street children and the achievements of non-governmental organizations in promoting the rights of these children and in providing practical assistance to improve their situation, and expressing its appreciation for their continued efforts,

Welcoming further the valuable work of the United Nations Children's Fund and its National Committees in reducing the suffering of street children,

Noting with appreciation the important work carried out in this field by the United Nations, in particular the Committee on the Rights of the Child, the Special Rapporteur of the Commis-

sion on Human Rights on the sale of children, child prostitution and child pornography and the United Nations International Drug Control Programme.

Bearing in mind the diverse causes of the emergence and marginalization of street children, including poverty, rural-to-urban migration, unemployment, broken families, intolerance and exploitation, and that such causes are often aggravated and their solution made more difficult by serious socio-economic difficulties,

Bearing in mind also that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights urged all States, with the support of international cooperation, to address the acute problem of children in especially difficult circumstances and urged that national and international mechanisms and programmes should be strengthened for the defence and protection of children, including street children,

Recognizing that the prevention and solution of certain aspects of this phenomenon could also be facilitated in the context of economic and social development,

1. *Expresses grave concern* at the continued growth in the number of incidents worldwide and at reports of street children being involved in or affected by serious crime, drug abuse, violence and prostitution;

2. *Urges* Governments to continue actively to seek comprehensive solutions to tackle the problems of street children and to take measures to restore their full participation in society and to provide, *inter alia*, adequate nutrition, shelter, health care and education;

3. *Strongly urges* Governments to respect fundamental human rights, particularly the right to life, and to take urgent measures to prevent the killing of street children and to combat torture and violence against them;

4. *Emphasizes* that strict compliance with the provisions of the Convention on the Rights of the Child constitutes a significant step towards solving the problems of street children, and calls upon all States that have not done so to become parties to the Convention as a matter of priority;

5. *Calls upon* the international community to support, through effective international cooperation, the efforts of States to improve the situation of street children, and encourages States parties to the Convention, in preparing their reports to the Committee on the Rights of the Child, to bear this problem in mind and to consider requesting, or indicating their need for, technical advice and assistance for initiatives aimed at improving the situation of street children, in accordance with article 45 of the Convention;

6. *Reiterates its invitation* to the Committee on the Rights of the Child to consider the possibility of a general comment on street children;

7. *Recommends* that the Committee on the Rights of the Child and other relevant treaty-monitoring bodies bear this growing problem in mind when examining reports from States parties;

8. *Invites* Governments, United Nations bodies and organizations and intergovernmental and non-governmental

organizations to cooperate and to ensure greater awareness and more effective action to solve the problem of street children by, among other measures, supporting development projects that can have a positive impact on the situation of street children;

9. *Calls upon* special rapporteurs, special representatives and working groups of the Commission on Human Rights and the Subcommittee on the Prevention of Discrimination and Protection of Minorities, within their mandates, to pay particular attention to the plight of street children;

10. *Decides* to consider the question further at its forty-ninth session under the item entitled "Human rights questions".

85th plenary meeting
20 December 1993

48/137. Human rights in the administration of justice

The General Assembly,

Recalling its resolution 46/120 of 17 December 1991,

Bearing in mind the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights³ and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,¹³² in particular article 6 of the Covenant, in which it is stated explicitly that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁷⁵ and in the International Convention on the Elimination of All Forms of Racial Discrimination,⁵

Mindful of the Convention on the Elimination of All Forms of Discrimination against Women,⁴¹ in particular of the obligation of States parties to treat men and women equally in all stages of procedures in courts and tribunals,

Calling attention to the numerous international standards in the field of the administration of justice, such as the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,¹⁷⁰ the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,¹⁷¹ the safeguards guaranteeing protection of the rights of those facing the death penalty,¹⁷² the Basic Principles on the Independence of the Judiciary,¹⁷³ the Basic Principles on the Role of Lawyers,¹⁷⁴ the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners,¹⁷⁵ the Code of Conduct for Law Enforcement Officials,¹⁷⁶ the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,¹⁷⁴ the Standard Minimum Rules for the Treatment of Prisoners,¹⁷⁶ the Basic Principles for the Treatment of Prisoners,¹⁷⁷ the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,¹⁷⁸ the Guidelines on the Role of Prosecutors,¹⁷⁹ the United Nations Standard Minimum Rules for Non-Custodial Measures (the Tokyo Rules),¹⁸⁰ the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),¹⁸¹ the Model Treaty on the Transfer of Proceedings in Criminal Matters¹⁸² and the Model Treaty on the Transfer of