

3. *Also expresses its appreciation* to the Governments of Botswana, Lesotho, Swaziland and Zambia for the co-operation which they have extended to the Secretary-General and to the High Commissioner on matters concerning the welfare of those 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 Secretary-General, in co-operation with the High Commissioner, 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 taken 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 programmes for student refugees, through financial support of the regular programmes of the High Commissioner, of the projects identified in the report of the Secretary-General and of the projects and programmes, including unfunded projects, which will be submitted to the Second International Conference on Assistance to Refugees in Africa, to be held at Geneva in 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* all 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 1984, of the current status of the programmes and to report to the General Assembly at its thirty-ninth session on the implementation of the present resolution.

*100th plenary meeting  
16 December 1983*

### **38/96. Summary or arbitrary executions**

*The General Assembly,*

*Recalling* the provisions of the Universal Declaration of Human Rights,<sup>97</sup> 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,<sup>98</sup> which states that every human being has the inherent right to life, that this 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 and arbitrary executions, and its resolution 37/182 of 17 December 1982,

*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<sup>99</sup> in which the Sub-Commission recommended that effective measures should be adopted to prevent the occurrence of summary or arbitrary executions.

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

1. *Welcomes* Economic and Social Council resolution 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 to submit to the Commission on Human Rights, at its thirty-ninth session, a comprehensive report on the occurrence and extent of the practice of such executions, together with his conclusions and recommendations;

2. *Takes note* of Economic and Social Council resolution 1983/36 of 26 May 1983, in which the Council decided to continue the mandate of the Special Rapporteur, Mr. S. A. Wako, for another year and decided that the Commission on Human Rights should consider the question of summary or arbitrary executions as a matter of high priority at its fortieth session;

3. *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;

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

5. *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 Rights appear not to be respected;

6. *Requests* the Commission on Human Rights at its fortieth session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35 and 1983/36, to make recommendations concerning appropriate action to combat and eventually eliminate the practice of summary or arbitrary executions

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<sup>97</sup> Resolution 217 A (III).

<sup>98</sup> Resolution 2200 A (XXI), annex.

<sup>99</sup> See E/CN.4/1983/4-E/CN.4 Sub.2/1982/43 and Corr.1, chap. XXI, sect. A.