

1989/65. Effective prevention and investigation of extra-legal, arbitrary and summary executions

The Economic and Social Council,

Recalling that article 3 of the Universal Declaration of Human Rights¹⁰⁶ proclaims that everyone has the right to life, liberty and security of person,

Bearing in mind that paragraph 1 of article 6 of the International Covenant on Civil and Political Rights¹⁰⁷ states that every human being has the inherent right to life, that that right shall be protected by law and that no one shall be arbitrarily deprived of his or her life,

Also bearing in mind the general comments of the Human Rights Committee on the right to life as enunciated in article 6 of the International Covenant on Civil and Political Rights,

Stressing that the extra-legal, arbitrary and summary executions contravene the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights,

Mindful that the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in its resolution 11 on extra-legal, arbitrary and summary executions,⁹⁰ called upon all Governments to take urgent and incisive action to investigate such acts, wherever they may occur, to punish those found guilty and to take all other measures necessary to prevent those practices,

Mindful also that in its resolution 1986/10, section VI, of 21 May 1986, it requested the Committee on Crime Prevention and Control to consider at its tenth session the question of extra-legal, arbitrary and summary executions with a view to elaborating principles on the effective prevention and investigation of such practices,

Recalling that the General Assembly in its resolution 33/173 of 20 December 1978 expressed its deep concern about reports from various parts of the world relating to enforced or involuntary disappearances and called upon Governments, in the event of such reports, to take appropriate measures to search for such persons and to undertake speedy and impartial investigations,

Noting with appreciation the efforts of non-governmental organizations to develop standards for investigations,¹¹²

Emphasizing that the General Assembly, in its resolution 42/141 of 7 December 1987, strongly condemned once again the large number of summary or arbitrary executions, including extra-legal executions, that continued to take place in various parts of the world,

Noting that in the same resolution the General Assembly recognized the need for closer co-operation between the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control in efforts to bring to an end summary or arbitrary executions,

Aware that effective prevention and investigation of extra-legal, arbitrary and summary executions requires the provision of adequate financial and technical resources,

1. *Recommends* that the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions annexed to the present resolution should be taken into account and respected by Governments within the framework of their national legislation and practices, and should be brought to the attention of law enforcement and criminal justice officials, military personnel, lawyers, members of the executive and legislative bodies of the Governments and the public in general;

2. *Requests* the Committee on Crime Prevention and Control to keep the above recommendations under constant review, taking into account the various socio-economic, political and cultural circumstances in which extra-legal, arbitrary and summary executions occur;

3. *Invites* Member States that have not yet ratified or acceded to international instruments that prohibit extra-legal, arbitrary and summary executions, including the International Covenant on Civil and Political Rights,¹⁰⁷ the Optional Protocol to the International Covenant on Civil and Political Rights¹⁰⁷ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹¹³ to become parties to these instruments;

4. *Requests* the Secretary-General to include the Principles in the United Nations publication entitled *Human Rights: A Compilation of International Instruments*;

5. *Requests* the United Nations regional and interregional institutes for the prevention of crime and the treatment of offenders to give special attention in their research and training programmes to the Principles, and to the International Covenant on Civil and Political Rights, the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Code of Conduct for Law Enforcement Officials,¹⁰² the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power¹⁰⁰ and other international instruments relevant to the question of extra-legal, arbitrary and summary executions.

*15th plenary meeting
24 May 1989*

2. In order to prevent extra-legal, arbitrary and summary executions, Governments shall ensure strict control, including a clear chain of command over all officials responsible for apprehen-

¹¹²See E/AC.57/1988/NGO/4

¹¹³General Assembly resolution 39/46, annex.