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3218 (XXIX). Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment

The General Assembly,

Mindful of article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights,¹

Reaffirming the rejection, in its resolution 3059 (XXVIII) of 2 November 1973, of any form of torture and other cruel, inhuman or degrading treatment or punishment,

Taking into account the report of the Secretary-General on the consideration given to this question by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and by the Commission on Human Rights and other bodies concerned,²

Noting with appreciation the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to review annually the developments in the field of human rights of persons subjected to any form of detention or imprisonment,³

Noting also the draft principles on freedom from arbitrary arrest and detention contained in the relevant study on this matter,⁴

Recalling Economic and Social Council resolution 663 C (XXIV) of 31 July 1957, in which, *inter alia*, the Council approved the Standard Minimum Rules for the Treatment of Prisoners,⁵ and Council resolution 1794 (LIV) of 18 May 1973 concerning the preparation of an international code of police ethics, as well as General Assembly resolution 3144 (XXVIII) of 14 December 1973 on human rights in the administration of justice,

Considering that the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in accordance with General Assembly resolution 415 (V) of 1 December 1950, will take place in September 1975 at Toronto, Canada,

Convinced that, because of the increase in the number of alarming reports on torture, further and sustained efforts are necessary to protect under all circumstances the basic human right to be free from torture and other cruel, inhuman or degrading treatment or punishment,

¹ Resolution 2200 A (XXI), annex.

² A/9767.

³ *Ibid.*, annex I.

⁴ United Nations publication, Sales No.: E.65.XIV.2, para. 823.

⁵ *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No.: 1956.IV.4), annex I.A.

1. *Requests* Member States to furnish the Secretary-General in time for submission to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to the General Assembly at its thirtieth session:

(a) Information relating to the legislative, administrative and judicial measures, including remedies and sanctions, aimed at safeguarding persons within their jurisdiction from being subjected to torture and other cruel, inhuman or degrading treatment or punishment;

(b) Their observations and comments on articles 24 to 27 of the draft principles on freedom from arbitrary arrest and detention prepared for the Commission on Human Rights;

2. *Requests* the Secretary-General to prepare an analytical summary of the information received under paragraph 1 above for submission to the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to the General Assembly at its thirtieth session, to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

3. *Requests* the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, under item 3 of its agenda,⁶ taking into account the consideration given to the question by the Committee on Crime Prevention and Control in pursuance of Economic and Social Council resolution 1794 (LIV), to give urgent attention to the question of the development of an international code of ethics for police and related law enforcement agencies;

4. *Further requests* the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, under item 4 of its agenda,⁶ to include, in the elaboration of the Standard Minimum Rules for the Treatment of Prisoners, rules for the protection of all persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment, and to report thereon to the General Assembly at its thirtieth session;

5. *Invites* the World Health Organization, taking into account the various declarations on medical ethics adopted by the World Medical Association, to draft, in close co-operation with such other competent organizations, including the United Nations Educational, Scientific and Cultural Organization, as may be appropriate, an outline of the principles of medical ethics which may be relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment, and to bring the draft to the attention

⁶ A/CONF.56/INF.3, para. 15.

of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders with a view to assisting the Congress in the implementation of the task set out in paragraph 4 above;

6. *Decides* to consider at its thirtieth session the question of torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment.

2278th plenary meeting
6 November 1974

3219 (XXIX). Protection of human rights in Chile

The General Assembly,

Convinced of its responsibility under the Charter of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all,

Recalling that, in accordance with the Universal Declaration of Human Rights, everyone has the right to life, liberty and security of person and the right not to be subjected to arbitrary arrest, detention or exile or to torture or cruel, inhuman or degrading treatment or punishment,

Recalling also its resolution 3059 (XXVIII) of 2 November 1973,

Taking into account the deep concern expressed by the Commission on Human Rights about reports from a wide variety of sources relating to gross and massive violations of human rights in Chile, particularly those involving a threat to human life and liberty,

Taking note of the appeal made by the Economic and Social Council, in its resolution 1873 (LVI) of 17 May 1974, to the Chilean authorities to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in that country, particularly in those cases involving a threat to human life and liberty,

Noting that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 8 (XXVII) of 21 August 1974,⁷ made an urgent appeal to the Chilean authorities to respect the Universal Declaration of Human Rights and to comply with the International Covenants on Human Rights⁸ signed and ratified by the Government of Chile,

Noting also that the International Labour Conference, in its resolution X of 24 June 1974,⁹ urged the Chilean authorities, *inter alia*, to cease violations of human rights and trade union rights, to guarantee the life and freedom of arrested, deported or imprisoned workers, militant workers and trade union leaders and members of any political party, to put an end to the practice of torture, to close down the concentration camps and to abolish the special tribunals, and decided to urge the speedy expedition to Chile of the Fact-Finding and Conciliation Commission on Freedom of Association as well as the setting up of a commission of inquiry,

Considering that, notwithstanding all the appeals made by various organs of the United Nations system, gross and massive violations of human rights, such as arbitrary arrest, torture and cruel, inhuman and degrading treatment of political prisoners and detainees,

including former members of the Chilean Government and Parliament, continue to be reported,

1. *Expresses its deepest concern* that constant flagrant violations of basic human rights and fundamental freedoms in Chile continue to be reported;

2. *Reiterates* its repudiation of all forms of torture and other cruel, inhuman or degrading treatment or punishment;

3. *Urges* the Chilean authorities to respect fully the principles of the Universal Declaration of Human Rights and to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms, particularly those involving a threat to human life and liberty, to release all persons who have been detained without charge or imprisoned solely for political reasons and to continue to grant safe conduct to those who desire it;

4. *Endorses* the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 8 (XXVII), that the Commission on Human Rights at its thirty-first session should study the reported violations of human rights in Chile, with particular reference to torture and cruel, inhuman or degrading treatment or punishment;

5. *Requests* the President of the twenty-ninth session of the General Assembly and the Secretary-General to assist in any way they may deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile in the light of paragraph 3 above;

6. *Requests* the Secretary-General to submit a report to the General Assembly at its thirtieth session on the action taken and progress achieved under paragraphs 3 to 5 above.

2278th plenary meeting
6 November 1974

3220 (XXIX). Assistance and co-operation in accounting for persons who are missing or dead in armed conflicts

The General Assembly,

Recalling that one of the purposes of the United Nations is the promotion of international co-operation in solving international problems of a humanitarian character,

Regretting that, in violation of the principles of the Charter of the United Nations, resort to force has continued to occur, causing loss of human lives, widespread devastation and other forms of human suffering,

Reaffirming that it is one of the fundamental obligations of Member States to ensure and promote international peace and security by preventing or ending armed conflicts,

Recognizing that one of the tragic results of armed conflicts is the lack of information on persons—civilians as well as combatants—who are missing or dead in armed conflicts,

Noting with satisfaction resolution V, adopted by the twenty-second International Conference of the Red Cross held at Teheran from 28 October to 15 November 1973, calling on parties to armed conflicts to accomplish the humanitarian task of accounting for the missing and dead in armed conflicts,¹⁰

⁷ A/9767, annex II.

⁸ Resolution 2200 A (XXI), annex.

⁹ International Labour Office, *Official Bulletin*, vol. LVII, No. 1, 1974, p. 40.

¹⁰ *International Review of the Red Cross*, No. 154 (January 1974), p. 22.