

**47/113. Report of the Committee against Torture and status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

*The General Assembly,*

Recalling article 5 of the Universal Declaration of Human Rights<sup>2</sup> and article 7 of the International Covenant on Civil and Political Rights,<sup>144</sup> both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975 and contained in the annex to that resolution,

Recalling further its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, contained in the annex to that resolution, and called upon all Governments to consider signing, ratifying and acceding to the Convention as a matter of priority, its subsequent resolutions on the status of the Convention, most recently its resolution 45/142 of 14 December 1990, and its decisions 46/428 and 46/430 of 17 December 1991, as well as the Commission on Human Rights resolutions on the subject, most recently resolution 1992/25 of 28 February 1992,<sup>37</sup>

Taking note of the decision taken at the Conference of States Parties to the Convention, on 9 September 1992,<sup>137</sup> to delete paragraph 7 of article 17 and paragraph 5 of article 18 of the Convention and to insert a new paragraph, as paragraph 4 of article 18,<sup>138</sup> by which the members of the Committee established under the Convention shall receive emoluments from United Nations resources on such terms and conditions as may be decided by the General Assembly,

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials<sup>145</sup> and of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,<sup>146</sup>

Recalling the adoption of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,<sup>147</sup>

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Determined to promote the full implementation of the prohibition, under international and national law, of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Taking note of the decision of the Commission on Human Rights, in its resolution 1992/32 of 28 February 1992,<sup>37</sup> to extend for three years the mandate of the Special Rapporteur to examine questions relevant to torture,

Noting with appreciation the holding of the first session of the open-ended working group of the Commission on Human Rights elaborating a draft optional protocol to the Convention,

1. Welcomes the report of the Committee against Torture;<sup>148</sup>

2. Notes the status of submission of reports by States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;<sup>149</sup>

3. Emphasizes the importance of the strictest compliance by States parties with their obligations under the Convention;

4. Stresses the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, and urges States parties that have not yet paid their assessed contributions to fulfil their obligations forthwith;

5. Welcomes the attention that the Committee against Torture has given to the development of an effective system of reporting on the implementation of the Convention by States parties, and especially its revision of its general guidelines for the submission of reports by States parties, as well as its practice of formulating concluding observations after the consideration of such reports;

6. Welcomes also the continuing close contacts and exchange of information, reports and documents between the Committee against Torture and the Special Rapporteur of the Commission on Human Rights on questions relating to torture;

7. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee against Torture;

8. Reiterates its request to all States to become parties to the Convention as a matter of priority;

9. Invites all States ratifying or acceding to the Convention and those States parties which have not yet done so to make the declarations provided for in articles 21 and 22 of the Convention, and to consider the possibility of withdrawing their reservations to article 20;

10. Requests the Secretary-General to submit to the Commission on Human Rights at its forty-ninth session and to the General Assembly at its forty-ninth session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

11. Decides to consider the reports of the Secretary-General and the Committee against Torture at its forty-ninth session under the sub-item entitled "Implementation of human rights instruments".

*89th plenary meeting  
16 December 1992*

**47/114. Report of the Secretary-General concerning a request to the United Nations to observe the referendum process in Eritrea**

*The General Assembly,*

Having considered the report of the Secretary-General concerning a request to the United Nations to observe the referendum process in Eritrea,<sup>150</sup>

Recalling that the authorities directly concerned have registered their commitment to respect the results of the referendum in Eritrea,<sup>151</sup>

*Taking into account* that the authorities directly concerned have requested the involvement of the United Nations to verify the referendum in Eritrea,<sup>151</sup>

1. *Takes note* of the report of the Secretary-General<sup>150</sup> and of the recommendations contained therein for the establishment of a United Nations observer mission to verify the referendum scheduled to take place in Eritrea in April 1993;

2. *Decides* to authorize the Secretary-General to establish the United Nations Observer Mission to Verify the Referendum in Eritrea, which will have terms of reference as provided for in paragraph 7 of the report of the Secretary-General, and to appoint, as a matter of urgency, a Special Representative for the referendum, who will head the Observer Mission;

3. *Requests* the Secretary-General to arrange, as soon as possible, for the deployment of the Observer Mission so that it may commence its verification functions;

4. *Calls upon* the authorities directly concerned to extend their fullest cooperation to the Observer Mission in order to facilitate the accomplishment of its task, as requested by the United Nations;

5. *Requests* the Secretary-General to report to the General Assembly at its forty-eighth session on the implementation of the present resolution.

89th plenary meeting  
16 December 1992

#### 47/115. Situation of human rights in Estonia and Latvia

*The General Assembly,*

*Guided* by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights<sup>2</sup> and the International Covenants on Human Rights,<sup>16</sup>

*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms for all and to fulfil the obligations they have undertaken under the various international instruments in this field,

*Convinced* that respect for human rights is an inalienable component of maintaining and promoting good-neighbourly relations between States,

*Taking into account* the complaint of alleged violations of human rights with respect to the Russian-speaking population in Estonia and Latvia,

*Taking note* of the conclusions and recommendations made by the United Nations fact-finding mission that visited Riga in October 1992 at the invitation of the Government of Latvia,<sup>152</sup>

1. *Notes with concern* the existence of certain problems that involve large groups of population in Estonia and Latvia;

2. *Welcomes* the cooperation that the Government of Latvia has extended to the United Nations fact-finding mission;

3. *Also welcomes* the invitation of the Government of Estonia to receive a similar United Nations fact-finding mission and its intention to extend to it its cooperation;

4. *Calls upon* the States concerned to intensify their efforts on the bilateral level aimed at resolving concerns with regard to the situation of the Russian-speaking population on the basis of generally accepted norms of international law in the field of human rights;

5. *Requests* the Secretary-General to keep Member States informed of the progress in the field of human rights in Estonia and Latvia and to report thereon to the General Assembly at its forty-eighth session under the item entitled "Situation of human rights in Estonia and Latvia".

89th plenary meeting  
16 December 1992

#### 47/122. World Conference on Human Rights

*The General Assembly,*

*Mindful* of the goal of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, as set out in the Charter of the United Nations and the Universal Declaration of Human Rights,<sup>2</sup>

*Recognizing* that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of another,

*Recalling* its resolution 45/155 of 18 December 1990, in which it decided, *inter alia*, to convene at a high level a World Conference on Human Rights in 1993, and its resolution 46/116 of 17 December 1991,

*Recalling also* Commission on Human Rights resolution 1991/30 of 5 March 1991,<sup>36</sup>

*Convinced* that the holding of a world conference on human rights could make a significant contribution to the effectiveness of the actions of the United Nations in the promotion and protection of human rights,

*Recognizing* the urgency of adopting a draft agenda for the World Conference on Human Rights before the final session of the Preparatory Committee for the Conference,

1. *Takes note with appreciation* of the reports of the Preparatory Committee for the World Conference on Human Rights on the work of its second<sup>153</sup> and third<sup>154</sup> sessions;

2. *Expresses its appreciation* to Governments, the bodies and organs of the United Nations system and non-governmental organizations for their contributions to the preparatory process;

3. *Approves* the draft rules of procedure for the World Conference on Human Rights, as recommended by the Preparatory Committee at its second and third sessions, with the exception of rule 15 (e);

4. *Decides* that the distribution of the twenty-nine positions of vice-president of the Conference should be in accordance with the established criteria of the General Assembly based on equitable geographical distribution;

5. *Approves* the recommendation made by the Preparatory Committee at its third session regarding the participation of non-governmental organizations in regional meetings related to the preparatory process;<sup>155</sup>