

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

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

⁷ A/9767, annex II.

⁸ Resolution 2200 A (XXI), annex.

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

Bearing in mind the inadmissibility of a refusal to apply the Geneva Conventions of 1949,¹¹

Reaffirming the urgent need to ensure full adherence to, and effective implementation of, the Geneva Conventions of 1949 on the protection of war victims by all States, in particular those signatories to the Geneva Conventions of 1949,

Considering that the desire to know the fate of loved ones lost in armed conflicts is a basic human need which should be satisfied to the greatest extent possible, and that provision of information on those who are missing or who have died in armed conflicts should not be delayed merely because other issues remain pending,

1. *Reaffirms* the applicability of the Geneva Conventions of 1949 to all armed conflicts, as stipulated by those Conventions;

2. *Calls upon* parties to armed conflicts, regardless of their character or location, during and after the end of hostilities and in accordance with the Geneva Conventions of 1949, to take such action as may be within their power to help locate and mark the graves of the dead, to facilitate the disinterment and the return of remains, if requested by their families, and to provide information about those who are missing in action;

3. *Appreciates* the continuing efforts of the International Committee of the Red Cross to assist in the task of accounting for the missing and dead in armed conflicts;

4. *Calls upon* all parties to armed conflicts to cooperate, in accordance with the Geneva Conventions of 1949, with protecting Powers or their substitutes and with the International Committee of the Red Cross in providing information on the missing and dead in armed conflicts, including persons belonging to other countries not parties to the armed conflict;

5. *Requests* the Secretary-General to bring the present resolution to the attention of the second session of the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts.

2278th plenary meeting
6 November 1974

3221 (XXIX). Improvement of the effective enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that, having considered at its twenty-eighth session the item entitled "Creation of the post of United Nations High Commissioner for Human Rights", it decided, in its resolution 3136 (XXVIII) of 14 December 1973, to include in the provisional agenda of its thirtieth session an item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms",

Recognizing the need for adequate information and documentation on which consideration of this item should be based,

Noting that the International Covenants on Human Rights¹² will enter into force in the near future,

Noting that the Secretary-General plans to issue shortly up-to-date versions of the comprehensive studies prepared for the International Conference on Human Rights, held at Teheran in 1968,¹³ on methods and measures taken within the United Nations system in the field of human rights,

1. *Requests* the Secretary-General to solicit the views of Member States, the specialized agencies and regional intergovernmental organizations on alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;

2. *Invites* appropriate non-governmental organizations in consultative status with the Economic and Social Council to submit to the Secretary-General any relevant material on the subject, taking into account that such material will not be politically motivated contrary to the principles of the Charter of the United Nations;

3. *Requests* the Secretary-General to prepare a concise analytical report based on the views and material submitted under paragraphs 1 and 2 above and taking into account the above-mentioned instruments and studies and any other relevant material;

4. *Requests* the Secretary-General to submit the report to the General Assembly at its thirtieth session.

2278th plenary meeting
6 November 1974

3222 (XXIX). Human rights and fundamental freedoms

The General Assembly,

Mindful of the Universal Declaration of Human Rights, which stresses respect for the dignity and worth of the human person,

Recalling that, in resolution 2860 (XXVI) of 20 December 1971, it declared its conviction of the historic significance and the value of the Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations,

Recalling Economic and Social Council resolutions 1864 (LVI) and 1869 (LVI) of 17 May 1974,

Highly indignant at the continuing repression and inhuman treatment inflicted on peoples still under colonial and foreign domination,

Recalling also its resolution 3059 (XXVIII) of 2 November 1973 on torture and other cruel, inhuman or degrading treatment or punishment,

1. *Reaffirms* its attachment to the principles, values and ideals of the Charter of the United Nations and of the Universal Declaration of Human Rights;

2. *Reaffirms also* its determination to ensure to all persons, without any distinction whatsoever, the full enjoyment of human rights and fundamental freedoms;

3. *Reaffirms further* the right of all peoples, in particular the peoples of southern Africa, to self-determination, freedom and independence, and the legitimacy of their struggle to free themselves from colonial and foreign domination in conformity with the Universal Declaration of Human Rights;

¹¹ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

¹² Resolution 2200 A (XXI), annex.

¹³ For the report of the Conference, see United Nations publication, Sales No.: E.68.XIV.2.