

Noting that social disparities are not peculiar to the developing countries and are a reflection of the injustices and inefficiency of the present world economic system,

Emphasizing the interdependence of economic and social development in promoting comprehensive growth with justice and the importance of harmonizing this process of development with the evolution of each country's values and structures,

Having considered the 1974 Report on the World Social Situation,³³

1. Reaffirms the right and responsibility of each State and people to determine freely its own objectives of social development, to set its own priorities and to decide in conformity with the principles of the Charter of the United Nations the means and methods of their achievement without any external interference;

2. Notes with satisfaction the policies and programmes adopted by many developing countries, within their over-all development plans, despite the grave financial and other external constraints, to promote comprehensive social development in various fields, especially to improve the conditions in the particularly disadvantaged sectors of their societies;

3. Recognizes the need for continued efforts at the national level towards the promotion of social progress and development aiming at the fulfilment of basic needs of all segments of the population through measures leading to:

- (a) More equitable redistribution of income and wealth;
- (b) The elimination of hunger and malnutrition;
- (c) A reduction of unemployment and underemployment;
- (d) The improvement of the distribution of health, housing, education and other social services;

4. Welcomes the active participation and growing involvement of the people of all sectors of society, including the youth and women, in the programmes of socio-economic development in developing countries;

5. Reaffirms the urgency of observing the principles and implementing the decisions regarding the establishment of the new international economic order, as well as the targets and policy measures of the International Development Strategy for the Second United Nations Development Decade, as a necessary pre-condition for the success of measures to eradicate poverty and to ensure real social progress in developing countries;

6. Reaffirms also that the elimination of imperialism, colonialism, aggression, foreign occupation, all forms of discrimination and *apartheid* and threats against national sovereignty and territorial integrity is a pre-condition for social and economic progress;

7. Affirms that the need to eliminate social disparities in developing countries is an important reason for the developed countries to increase their commitment to achieving the goals of development co-operation and of the new international economic order;

8. Deeply deplores the lack of response from some of the developed countries to measures designed to establish the new international economic order;

9. Urges the organizations of the United Nations system to take into consideration Economic and Social

Council decision 162 (LXI) of 3 August 1976, bearing in mind the close interrelationship between international economic relations and the world social situation;

10. Urges those developed countries that have not done so to respond in a spirit of co-operation and interdependence to ensure sustained socio-economic development in the developing countries;

11. Requests the Secretary-General to continue to issue the report on the world social situation every four years, taking into consideration the provisions of the present resolution, and to give an account of the measures taken by Governments to implement these provisions.

97th plenary meeting
13 December 1976

31/85. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

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

Recalling also its resolution 3453 (XXX) of 9 December 1975, in which it requested the competent bodies to conduct further work on the elaboration of:

- (a) A body of principles for the protection of all persons under any form of detention or imprisonment,
- (b) A draft code of conduct for law enforcement officials,
- (c) Principles of medical ethics 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,

Noting Economic and Social Council resolution 1993 (LX) of 12 May 1976 and resolution 10 (XXXII) adopted by the Commission on Human Rights on 5 March 1976,³⁴

Welcoming the work of the Committee on Crime Prevention and Control at its fourth session, in particular with respect to a draft code of conduct for law enforcement officials as well as the range of application and the implementation of the Standard Minimum Rules for the Treatment of Prisoners,³⁵

Noting further the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its twenty-ninth session to appoint a Rapporteur to prepare the first draft of a body of principles for the protection of all persons under any form of detention or imprisonment, and resolution 3 A (XXIX) of 31 August 1976 in which the Sub-Commission recommended the appointment of a working group to analyse the material received in connexion with its annual review of developments relating to the question of the human rights of persons subjected to any form of detention or imprisonment,³⁶

³⁴ See *Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 3 (E/5768)*, chap. XX, sect. A.

³⁵ *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.

³⁶ See E/CN.4/1218, chap. XVII.

³³ *Ibid.*

Reiterating its belief that further efforts are needed to help ensure adequate protection for all against torture and other cruel, inhuman or degrading treatment or punishment,

1. *Calls upon* Governments, as well as intergovernmental and non-governmental organizations concerned with human rights, to give maximum publicity to the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. *Invites* the Economic and Social Council to give due priority to the examination of the draft code of conduct for law enforcement officials proposed by the Committee on Crime Prevention and Control,³⁷ in order that the Council at its sixty-second session and the General Assembly at its thirty-second session may take further steps with a view to the adoption of this instrument;

3. *Also invites* the Economic and Social Council to consider with due priority the recommendation of the Committee on Crime Prevention and Control at its fourth session, contained in new draft rule 95 of the Standard Minimum Rules for the Treatment of Prisoners,³⁸ seeking to assure the applicability of the Standard Minimum Rules to all persons arrested or imprisoned with or without charge and conviction, as well as the draft procedures for the effective implementation of the Rules;³⁹

4. *Requests* the Commission on Human Rights, through the Economic and Social Council, to submit a comprehensive report on the elaboration of a body of principles for the protection of all persons under any form of detention or imprisonment to the General Assembly at its thirty-third session;

5. *Invites* the World Health Organization to prepare a draft code on medical ethics 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 it to the attention of the General Assembly at its thirty-second session;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

*97th plenary meeting
13 December 1976*

31/86. Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights

The General Assembly,

Having noted the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights,⁴⁰

Recalling its resolutions 2200 A (XXI) of 16 December 1966 and 3270 (XXIX) of 10 December 1974, and in particular its belief that the entry into force of the International Covenants on Human Rights will undoubtedly enhance the ability of the United Nations to promote and encourage respect for human rights and fundamental freedoms for all, and thus contribute greatly to the co-operation of States in the attainment of the purposes and principles of the Charter of the United Nations,

Bearing in mind the important responsibilities of the Economic and Social Council in the implementation of the International Covenant on Economic, Social and Cultural Rights,

Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights,

Convinced that the International Covenants on Human Rights constitute the first all-embracing and legally binding international treaty in the field of human rights,

Expressing its appreciation to those States which have become parties to the above instruments,

1. *Welcomes with deep satisfaction* the entry into force of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights as a major step in the international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Recognizes* that such resources as may be necessary should be allocated to enable the Secretary-General to provide the appropriate staff and facilities for the effective performance of the functions of the Human Rights Committee under the International Covenant on Civil and Political Rights and the Optional Protocol thereto;

3. *Recognizes* that appropriate arrangements should be made to enable the Human Rights Committee to hold sessions at such intervals and of such duration as may be necessary for it to carry out in an efficient manner the functions entrusted to it under the International Covenant on Civil and Political Rights and the Optional Protocol thereto;

4. *Endorses* the appeal to States made by the Economic and Social Council in its resolution 1988 (LX) of 11 May 1976 that they include in their delegations to the sessions of the Council at which reports of States parties to the International Covenant on Economic, Social and Cultural Rights are examined experts competent in the subject-matter of the relevant reports;

5. *Requests* the Secretary-General to submit to the General Assembly at its thirty-second session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

6. *Invites once again* all States to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and the Optional Protocol thereto.

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13 December 1976*

³⁷ See E/CN.5/536, annex V.

³⁸ *Ibid.*, para. 95.

³⁹ *Ibid.*, annex VI.

⁴⁰ A/31/202.