

Nations system for improving the effective enjoyment of human rights and fundamental freedoms”.

75th plenary meeting  
8 December 1988

#### 43/129. New international humanitarian order

*The General Assembly,*

Recalling its resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985 and 42/120 and 42/121 of 7 December 1987 relating to the promotion of a new international humanitarian order,

Taking note of the report of the Secretary-General<sup>130</sup> and the comments made by various Governments regarding the humanitarian order and the work done in this regard by the Independent Commission on International Humanitarian Issues,

Noting the actions being taken by the specialized agencies and programmes of the United Nations system with regard to the humanitarian issues, examined by the Independent Commission, that fall within their respective mandates,

Recognizing with concern the continuing need further to strengthen international responses to growing humanitarian challenges and to adjust actions of governmental and non-governmental organizations to new realities in a fast-changing world,

Bearing in mind the importance of creative humanitarian action at the international as well as the regional and national levels to alleviate human suffering and to promote durable solutions to humanitarian problems,

Convinced of the need for an active follow-up to the recommendations and suggestions made by the Independent Commission and of the importance of the role being played in this regard by the Independent Bureau for Humanitarian Issues set up for the purpose,

1. Expresses its appreciation to the Secretary-General for his continuing active support for the efforts to promote a new international humanitarian order;

2. Encourages Governments as well as governmental and non-governmental organizations that have not yet done so to provide their comments and expertise to the Secretary-General regarding the humanitarian order and the report of the Independent Commission on International Humanitarian Issues;

3. Invites the Independent Bureau for Humanitarian Issues to continue and further strengthen its essential role in following up the work of the Independent Commission;

4. Invites Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of concern to them, in order to identify opportunities for future action;

5. Requests the Secretary-General to remain in contact with Governments as well as governmental and non-governmental organizations and the Independent Bureau for Humanitarian Issues and to report to the General Assembly at its forty-fifth session on the progress made by them;

6. Decides to review at its forty-fifth session the question of a new international humanitarian order.

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#### 43/130. Promotion of international co-operation in the humanitarian field

*The General Assembly,*

Recalling its resolution 42/121 of 7 December 1987,

Noting that one of the purposes of the United Nations, set forth in its Charter, is to achieve international co-operation in solving international problems of a humanitarian character,

Recalling the Universal Declaration of Human Rights,<sup>2</sup> which proclaims, *inter alia*, that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Guided by universally accepted human values and common aspiration for a better, more just, safe and humane world,

Noting that international co-operation in the humanitarian field could contribute to attaining the ideals of a new international humanitarian order,

Mindful of the significance of the existing workable system to promote, facilitate and co-ordinate humanitarian activities carried out by Governments, the United Nations system and intergovernmental and non-governmental organizations,

Taking note with satisfaction of the report of the Independent Commission on International Humanitarian Issues<sup>131</sup> and the efforts of the Independent Bureau for Humanitarian Issues to promote public awareness of humanitarian problems and to identify alternative approaches for resolving humanitarian problems,

1. Calls upon Governments, the United Nations system and intergovernmental and non-governmental organizations further to develop international co-operation in the humanitarian field;

2. Reiterates that international co-operation in the humanitarian field will facilitate better understanding, mutual respect, confidence and tolerance among countries and peoples, thus contributing to a more just and non-violent world;

3. Invites Governments to promote, within existing mechanisms, regular exchanges of information and of national experience in addressing humanitarian problems;

4. Encourages the international community to contribute substantially and regularly to international humanitarian activities;

5. Invites all non-governmental organizations concerned with the humanitarian issues examined by the Independent Commission on International Humanitarian Issues and working with strictly humanitarian motives to bear in mind the recommendations and suggestions made in the report of the Independent Commission in the context of their policies and actions in the field;

6. Invites Governments and intergovernmental and non-governmental organizations to forward to the Secretary-General, on a voluntary basis, their comments con-

<sup>130</sup> A/43/734.

<sup>131</sup> *Winning the Human Race? The Report of the Independent Commission on International Humanitarian Issues* (London and New Jersey, Zed Books Ltd., 1988).

cerning further development of international co-operation in the humanitarian field;

7. *Requests* the Secretary-General to continue his contacts with Governments, agencies and programmes of the United Nations system and non-governmental organizations concerned, as well as with the Independent Bureau for Humanitarian Issues and, taking into account information received, to submit to the General Assembly at its forty-fifth session a report on possible ways and means of strengthening international co-operation in the humanitarian field.

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#### 43/131. Humanitarian assistance to victims of natural disasters and similar emergency situations

*The General Assembly,*

*Recalling* that one of the purposes of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion,

*Reaffirming* the sovereignty, territorial integrity and national unity of States, and recognizing that it is up to each State first and foremost to take care of the victims of natural disasters and similar emergency situations occurring on its territory,

*Deeply concerned* about the suffering of the victims of natural disasters and similar emergency situations, the loss in human lives, the destruction of property and the mass displacement of populations that result from them,

*Bearing in mind* that natural disasters and similar emergency situations have grave consequences for the economic and social plans of all countries concerned,

*Desiring* that the international community should respond speedily and effectively to appeals for emergency humanitarian assistance made in particular through the Secretary-General,

*Mindful* of the importance of humanitarian assistance for the victims of natural disasters and similar emergency situations,

*Recognizing* that the international community makes an important contribution to the sustenance and protection of such victims, whose health and life may be seriously endangered,

*Considering* that the abandonment of the victims of natural disasters and similar emergency situations without humanitarian assistance constitutes a threat to human life and an offence to human dignity,

*Concerned* about the difficulties that victims of natural disasters and similar emergency situations may experience in receiving humanitarian assistance,

*Convinced* that, in providing humanitarian assistance, in particular the supply of food, medicines or health care, for which access to victims is essential, rapid relief will avoid a tragic increase in their number,

*Aware* that alongside the action of Governments and intergovernmental organizations, the speed and efficiency of this assistance often depends on the help and aid of local and non-governmental organizations working with strictly humanitarian motives,

*Recalling* that, in the event of natural disasters and similar emergency situations, the principles of humanity, neutrality and impartiality must be given utmost consideration by all those involved in providing humanitarian assistance,

1. *Reaffirms* the importance of humanitarian assistance for the victims of natural disasters and similar emergency situations;

2. *Reaffirms also* the sovereignty of affected States and their primary role in the initiation, organization, co-ordination and implementation of humanitarian assistance within their respective territories;

3. *Stresses* the important contribution made in providing humanitarian assistance by intergovernmental and non-governmental organizations working with strictly humanitarian motives;

4. *Invites* all States in need of such assistance to facilitate the work of these organizations in implementing humanitarian assistance, in particular the supply of food, medicines and health care, for which access to victims is essential;

5. *Appeals*, therefore, to all States to give their support to these organizations working to provide humanitarian assistance, where needed, to the victims of natural disasters and similar emergency situations;

6. *Urges* States in proximity to areas of natural disasters and similar emergency situations, particularly in the case of regions that are difficult to reach, to participate closely with the affected countries in international efforts with a view to facilitating, to the extent possible, the transit of humanitarian assistance;

7. *Calls upon* all the intergovernmental, governmental and non-governmental organizations dealing with humanitarian assistance to co-operate as closely as possible with the Office of the United Nations Disaster Relief Co-ordinator or any other *ad hoc* mechanism set up by the Secretary-General in the co-ordination of aid;

8. *Requests* the Secretary-General to seek the views of Governments, intergovernmental, governmental and non-governmental organizations with regard to the possibility of enhancing the effectiveness of international mechanisms and increasing the speed of assistance in the best possible conditions for the victims of natural disasters and similar emergency situations, where needed, and to report his findings to the General Assembly at its forty-fifth session;

9. *Decides* to consider this question at its forty-fifth session.

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#### 43/132. 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>20</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,