

the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,¹⁶¹

Recalling the adoption of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,¹⁶⁸

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,

Recalling the decision of the Commission on Human Rights, in its resolution 1988/32 of 8 March 1988,⁴⁵ to extend for two years the mandate of the Special Rapporteur to examine questions relevant to torture,

1. *Welcomes* the report of the Committee against Torture;¹⁶⁹

2. *Takes note* of the report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;¹⁷⁰

3. *Stresses* the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, to enable it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, and appeals to all States parties not to take any measures that might impair the financing of all the functions of the Committee under the Convention, so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

4. *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 decision to revise its general guidelines for the submission of initial reports by States parties;¹⁷¹

5. *Notes with appreciation* the adoption by the Committee against Torture of its rules of procedure;¹⁷²

6. *Welcomes* the exchange of views that has taken place between the Committee against Torture and the Special Rapporteur of the Commission on Human Rights on questions relating to torture, and requests that this exchange be continued;

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. *Once again invites* all States, upon ratification of or accession to the Convention, or subsequently, to consider the possibility of making the declarations provided for in articles 21 and 22 of the Convention;

¹⁶⁸ Resolution 43/173, annex.

¹⁶⁹ *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 46 and corrigendum (A/44/46 and Corr.1)*

¹⁷⁰ A/44/443.

¹⁷¹ *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 46 and corrigendum (A/44/46 and Corr.1), sect. II para. 32.*

¹⁷² *Ibid.*, sect. IV and annex IV

10. *Requests* the Secretary-General to submit to the Commission on Human Rights at its forty-sixth session and to the General Assembly at its forty-fifth 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 report of the Secretary-General at its forty-fifth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

82nd plenary meeting
15 December 1989

44/145. United Nations Voluntary Fund for Victims of Torture

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,⁴ which states 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,¹⁶³

Recalling with satisfaction the entry into force on 26 June 1987 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁶⁴

Recalling its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims of torture in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Convinced that the struggle to eliminate torture includes the provision of assistance in a humanitarian spirit to the victims and members of their families,

Taking note of the report of the Secretary-General,¹⁷³

1. *Expresses its gratitude and appreciation* to the Governments, organizations and individuals that have already contributed to the United Nations Voluntary Fund for Victims of Torture;

2. *Calls upon* all Governments, organizations and individuals in a position to do so to respond favourably to requests for initial as well as further contributions to the Fund;

3. *Invites* Governments to make contributions to the Fund, if possible on a regular basis, in order to enable the Fund to provide continuous support to projects that depend on recurrent grants;

4. *Requests* the Secretary-General to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

5. *Expresses its appreciation* to the Board of Trustees of the Fund for the work it has carried out;

6. *Also expresses its appreciation* to the Secretary-General for the support given to the Board of Trustees of the Fund;

7. *Requests* the Secretary-General to make use of all existing possibilities, including the preparation, production and dissemination of information materials, to assist

¹⁷³ A/44/708

the Board of Trustees of the Fund in its efforts to make the Fund and its humanitarian work better known and in its appeal for contributions.

82nd plenary meeting
15 December 1989

44/146. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights,⁴ which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government, and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Noting that the International Covenant on Civil and Political Rights⁵ provides that every citizen shall have the right and the opportunity, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and to have access, on general terms of equality, to public service in his or her country,

Condemning the system of *apartheid* and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Considering that the tricameral parliament established under the system of *apartheid* is a gross violation of the principle of universal and equal suffrage and has been overwhelmingly rejected by the international community,

Recalling that all States enjoy sovereign equality and that each State has the right freely to choose and develop its political, social, economic and cultural systems,

Recognizing that there is no single political system or electoral method that is equally suited to all nations and their people,

Recalling its resolution 43/157 of 8 December 1988,

Taking note of Commission on Human Rights resolution 1989/51 of 7 March 1989,²

1. Underscores the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;

2. Stresses its conviction that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or

her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;

3. Declares that determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in co-operation with others within the constitution and national legislation;

4. Recognizes that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State's sovereign right freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States;

5. Underscores the duty of each member of the international community to respect the decisions taken by other States in freely choosing and developing their electoral institutions;

6. Reaffirms that *apartheid* must be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

7. Rejects the tricameral parliament established under the system of *apartheid* as an abhorrent expression of a fundamentally oppressive and flagrantly inhuman political system;

8. Calls upon the Commission on Human Rights, at its forty-sixth session, to continue its consideration of appropriate ways and means of enhancing the effectiveness of the principle of periodic and genuine elections, in the context of full respect for the sovereignty of Member States, and to report to the General Assembly at its forty-fifth session, through the Economic and Social Council;

9. Decides to include in the provisional agenda of its forty-fifth session the item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

82nd plenary meeting
15 December 1989

44/147. Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purposes of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Also recalling its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,