

34/176. United Nations Trust Fund for Chile

The General Assembly,

Recalling its resolution 33/174 of 20 December 1978, by which it established the United Nations Trust Fund for Chile as a voluntary fund to receive contributions and distribute, through established channels of assistance, humanitarian, legal and financial aid to persons whose human rights have been violated by detention or imprisonment in Chile, to those forced to leave the country and to relatives of persons in the above-mentioned categories,

Recalling also the appeal to Member States for pledges and contributions to the United Nations Trust Fund for Chile made by the Secretary-General in his letter dated 28 September 1979,

Taking note of the report of the Secretary-General of 8 November 1979¹²⁶ on the implementation of resolution 33/174, in which he informed the General Assembly that, as at 31 October 1979, no contributions or pledges of contributions had been received,

1. Notes that some Governments have since 31 October 1979 decided to contribute or make pledges of contributions to the United Nations Trust Fund for Chile;¹²⁷

2. Appeals to Member States to respond favourably to the request for contributions to the United Nations Trust Fund for Chile made in the letter of the Secretary-General dated 28 September 1979.

*106th plenary meeting
17 December 1979*

34/177. International co-operation in drug abuse control

The General Assembly,

Noting the continuing spread of drug abuse in many parts of the world and its harmful impact on developing and industrialized countries,

Viewing with concern the detrimental effects drug abuse can have on all societies and individuals, particularly young people,

Recognizing that illicit traffic in drugs and the profits accruing therefrom to traffickers and criminal organizations pose a threat to the socio-economic well-being of many countries and should be addressed through development assistance programmes together with intensified law enforcement, education and demand reduction efforts,

Noting with satisfaction the positive results that have been achieved in a number of countries, but at the same time expressing concern for the lack of realization of many of the objectives for drug abuse control set forth in the drug control treaties as well as in the resolutions and documents of the Commission on Narcotic Drugs, the International Narcotics Control Board, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization,

Recalling its resolution 33/168 of 20 December 1978, in which it requested more extensive and coordinated co-operation between Governments and relevant bodies of the United Nations and the specialized

agencies in the designing and implementation of programmes aimed at the eradication of illicit demand for and illicit traffic in drugs,

Bearing in mind the necessity for international drug abuse control strategy and policies, as requested in General Assembly resolution 32/124 of 16 December 1977 and reiterated in Commission on Narcotic Drugs resolution 8 (XXVIII) of 23 February 1979,¹²⁸

Having received the report of the Commission on Narcotic Drugs,¹²⁹ noted in Economic and Social Council decision 1979/18 of 9 May 1979, in which are proposed, in the annex to resolution 8 (XXVIII), principles to guide future international drug abuse control activities,

1. Takes note of the report of the Commission on Narcotic Drugs and requests all agencies and organizations concerned to implement paragraphs 2 and 3 of Commission resolution 8 (XXVIII), to elaborate a practical and dynamic drug abuse control programme, noting the principles annexed to that resolution, and to provide, within the existing regular budget, for the monitoring of the implementation of the programme by the Commission;

2. Requests the Commission to finalize at its next special session, to be held in 1980, a meaningful programme of international drug abuse control strategy and policies aimed at eradicating illicit demand for, production of and traffic in narcotic drugs and psychotropic substances, and to report to the Economic and Social Council at its first regular session of 1980 on the progress achieved in this respect;

3. Invites Member States to take into account the principles set forth by the Commission in allocating, within their capabilities, national resources to drug abuse control programmes—including programmes to combat the illicit production of and trafficking in narcotic and psychotropic substances and to reduce the demand for those drugs—and calls for greater technical and financial contributions to those developing countries which are constrained by limited national resources in their efforts to implement drug abuse control programmes;

4. Further invites Member States to take appropriate measures for the prevention of uncontrolled or illicit manufacture and export of psychotropic substances and the chemical precursors of drugs of abuse such as acetic anhydride;

5. Urges States which have not yet become parties to the international drug control treaties to adhere to them and to make maximum efforts to implement them;

6. Further urges greater action by the specialized agencies and programmes of the United Nations, especially the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the World Health Organization and the United Nations Development Programme, in developing and implementing, within their mandates, programmes aimed at the reduction of illicit production of and demand for drugs, and specifically requests those agencies to make this activity a regular item on the agendas of their governing bodies;

7. Requests the agencies and programmes of the United Nations, the international financial institutions

¹²⁶ A/34/658.

¹²⁷ See A/34/658/Add.1.

¹²⁸ Official Records of the Economic and Social Council, 1979, Supplement No. 5 (E/1979/35), chap. XIV.

¹²⁹ Ibid., Supplement No. 5 (E/1979/35).

and member Governments within their bilateral and multilateral development assistance programmes to consider providing, when requested by a recipient State and if possible, appropriate assistance for the implementation of drug abuse prevention and control measures, particularly activities which promote new income sources that can substitute for illicit production of narcotic raw materials and which promote the reduction in demand for dangerous drugs;

8. *Further requests* the organs of the United Nations and the specialized agencies with programmes having an impact on narcotics, as a means of expediting a concerted international effort substantially to reduce illicit drug activities, to report annually to the General Assembly on their activities and proposed projects in this field;

9. *Appeals* to Member States, in accordance with their individual development goals, to consider within their national development programmes the inclusion of appropriate drug abuse control measures;

10. *Reiterates* its continued support for the initiatives of the United Nations Fund for Drug Abuse Control in helping countries reduce the demand for, production of and traffic in illicit narcotics;

11. *Expresses its disappointment* at the low levels of financial support being provided to the United Nations Fund for Drug Abuse Control and appeals to Member States to make new, sustained or increased cash contributions to the Fund as well as further financial or in-kind contributions in support of its projects and activities;

12. *Requests* the Secretary-General to report annually to the General Assembly on the progress being made in the implementation of the present resolution and Commission on Narcotic Drugs resolution 8 (XXVIII) and to transmit the present resolution to Governments and concerned international agencies.

*106th plenary meeting
17 December 1979*

34/178. The right of *amparo*, *habeas corpus* or other legal remedies to the same effect

The General Assembly,

Bearing in mind the provisions of the Universal Declaration of Human Rights,¹³⁰ of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹³¹ and of the International Covenant on Civil and Political Rights,¹³²

Mindful, in particular, of article 9, paragraph 4, of the said Covenant, which stipulates that anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful,

Recalling its resolution 32/121 of 16 December 1977, concerning the protection of the human rights of persons who are detained in respect of offences which they have committed, or are suspected of having committed, by reason of their political opinions or convictions,

Recalling also its resolutions 33/169 of 20 December 1978, concerning persons arrested or detained for trade

union activities, and 33/173 of 20 December 1978 on disappeared persons,

Noting that the year 1979 marks the three hundredth anniversary of the act which in 1679 gave statutory force to the remedy of *habeas corpus*,

Recalling that, from 15 to 28 August 1961, a seminar on *amparo*, *habeas corpus* and other similar remedies was organized by the United Nations at Mexico City,¹³³ under the programme of advisory services in the field of human rights,

1. *Expresses its conviction* that the application within the legal system of States of *amparo*, *habeas corpus* or other legal remedies to the same effect is of fundamental importance for:

(a) Protecting persons against arbitrary arrest and unlawful detention;

(b) Effecting the release of persons who are detained by reason of their political opinions or convictions, including in pursuance of trade union activities;

(c) Clarifying the whereabouts and fate of missing and disappeared persons;

2. *Considers* that the use of those remedies may also forestall opportunities for persons exercising power over detainees to engage in torture or other cruel, inhuman or degrading treatment or punishment;

3. *Calls upon* all Governments to guarantee to persons within their jurisdiction the full enjoyment of the right of *amparo*, *habeas corpus* or other legal remedies to the same effect, as may be applicable in their legal system;

4. *Decides* that, in order to extend the global understanding and larger applications of institutions such as *amparo*, *habeas corpus* or other legal remedies to the same effect, an international seminar on the matter would be timely and useful;

5. *Decides further* to consider this question again at its thirty-fifth session.

*106th plenary meeting
17 December 1979*

34/179. Human rights in Chile

The General Assembly,

Noting that all Governments have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

Recalling its resolutions 31/124 of 16 December 1976, 32/118 of 16 December 1977 and 33/175 of 20 December 1978 on the protection of human rights in Chile,

Recalling also Commission on Human Rights resolution 11 (XXXV) of 6 March 1979¹³⁴ on reported violations of human rights in Chile, in which the Commission, *inter alia*, decided to appoint a Special Rapporteur on the situation of human rights in Chile and experts to study the question of missing and disappeared persons in Chile,

Expressing its regret that the Chilean authorities refused to co-operate with the Special Rapporteur and the experts appointed by the Commission on Human Rights,

¹³³ The report of the seminar was issued as document ST/TAO/HR/12.

¹³⁴ See *Official Records of the Economic and Social Council, 1979, Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

¹³⁰ Resolution 217 A (III).

¹³¹ Resolution 3452 (XXX), annex.

¹³² Resolution 2200 A (XXI), annex.