

and the intellectual, spiritual, cultural and moral advancement of mankind,

Considering that the improvement of social life must be based on respect for and the promotion of all human rights and particularly on the elimination of all forms of discrimination,

Recognizing that social progress and development are founded on respect for the dignity and value of the human person,

Considering that healthy recreational, cultural and sports activities contribute to the achievement of a proper level of physical and mental health,

Considering also that the improvement of social life must take place in a continuous and uninterrupted manner,

Mindful that the existing inequalities and imbalances in the international economic system are widening the gap between developed and developing countries and thereby constitute a major obstacle to the development of the developing countries and adversely affect international relations and the promotion of world peace and security,

Conscious that each country has the sovereign right freely to adopt the economic and social system that it deems the most appropriate and that each Government has a primary role in ensuring the social progress and well-being of its people,

Convinced of the urgent necessity rapidly to eradicate colonialism, neo-colonialism, racism and all forms of racial discrimination, *apartheid*, foreign aggression, occupation and domination and all forms of inequality, exploitation and subjugation of peoples, which constitute major obstacles to economic and social progress as well as to the promotion of world peace and security,

Recalling its resolutions 40/100 of 13 December 1985, 41/152 of 4 December 1986 and 42/145 of 7 December 1987,

1. *Acknowledges* that the progress achieved in the world social situation is still inadequate despite the efforts made and that efforts should therefore be redoubled;

2. *Notes with great concern* the slow progress in the implementation of the Declaration on Social Progress and Development;

3. *Reaffirms* that the social aspects and goals of development are an integral part of the overall development process and that it is the sovereign right of each State freely to determine and implement appropriate policies for social development within the framework of its development plans and priorities;

4. *Emphasizes* the importance, for the achievement of social progress, of the establishment of the new international economic order;

5. *Calls upon* Member States to make all efforts to promote the speedy and complete elimination of such fundamental elements hindering economic and social progress and development as colonialism, neo-colonialism, racism and all forms of racial discrimination, *apartheid*, foreign aggression, occupation, and domination and all forms of inequality and exploitation of peoples, and also to undertake effective measures to lessen international tensions;

6. *Reiterates* that it is the right of everyone to enjoy the greatest possible degree of physical and mental health;

7. *Emphasizes* that participation in cultural, sports and recreational activities and the use of leisure without discrimination of any kind promotes the improvement of social life;

8. *Requests* the Secretary-General to include in his report on the implementation of the Declaration on Social Progress and Development the results attained in the improvement of social life in the world;

9. *Decides* to resume consideration of the question of the improvement of social life at its forty-fifth session.

75th plenary meeting
8 December 1988

43/157. 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,² 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 Rights²⁰ 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,

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,

1. *Emphasizes* 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, including political, economic, social, and cultural rights;

3. *Declares* that determining the will of the people requires an electoral process which accommodates distinct alternatives, and that this process should provide an equal

opportunity for all citizens to become candidates and put forward their political views, individually and in co-operation with others;

4. *Reaffirms* that *apartheid* should 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;

5. *Calls upon* the Commission on Human Rights, at its forty-fifth session, to consider 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-fourth session, through the Economic and Social Council;

6. *Decides* to include in the agenda of its forty-fourth session an item entitled "Enhancing the effectiveness of the principle of periodic and genuine elections".

75th plenary meeting
8 December 1988

43/158. Situation of human rights and fundamental freedoms in Chile

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and bearing in mind the Universal Declaration of Human Rights,² the International Covenant on Economic, Social and Cultural Rights²⁰ and the International Covenant on Civil and Political Rights,²⁰

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms, and determined to remain vigilant with regard to violations of human rights wherever they occur,

Noting the obligation of the Government of Chile to respect and protect human rights in accordance with the international instruments to which Chile is a party,

Bearing in mind that the concern of the international community at the situation of human rights in Chile has been expressed by the General Assembly in a number of resolutions, particularly resolution 33/173 of 20 December 1978 on disappeared persons and resolution 42/147 of 7 December 1987, in which the Assembly invited the Commission on Human Rights to take the most appropriate steps for the effective restoration of human rights and fundamental freedoms in that country, including the extension of the mandate of the Special Rapporteur,

Recalling the pertinent resolutions of the Commission on Human Rights, particularly resolution 1988/78 of 10 March 1988,²⁷ in which the Commission decided, *inter alia*, in view of the persistence of serious violations of human rights in Chile, to extend the mandate of the Special Rapporteur for one year and to consider that subject as a matter of high priority,

Considering the referendum held on 5 October 1988 to be an important step towards the restoration of democracy in Chile,

Noting the formal acceptance of the results of the referendum and the increase in political activity in Chile,

Noting with satisfaction the termination of the two states of emergency and of the prohibition of free movement into and out of the country,

Deploring the fact that, notwithstanding the repeated visits of the Special Rapporteur to Chile and the adoption of positive measures by the Government, the institutional and legal framework that makes violations of human rights possible has remained unchanged,

Noting that, although opposition publications have in some cases been authorized, they are frequently subject to arbitrary restrictions and limitations,

1. *Takes note with interest* of the provisional report of the Special Rapporteur,¹⁷⁸ submitted in accordance with Commission on Human Rights resolution 1988/78;

2. *Welcomes* the positive fact that the Government of Chile has decided to continue to co-operate with the Special Rapporteur and again permitted him to visit the country in October 1988, providing him with free access to the facilities for compiling his report, and expresses its confidence that a further visit will be authorized on the same conditions in the immediate future;

3. *Welcomes* the decision of the Government of Chile to respect the result of the referendum of 5 October 1988 as an expression of the will of the people and an important step towards the rapid restoration of democracy in Chile;

4. *Urges* the Government of Chile to take the necessary measures to facilitate the full re-establishment of a democratic, pluralist and representative system based on the principle of popular sovereignty;

5. *Notes with satisfaction* the decision of the Government of Chile to lift the two states of emergency imposed fifteen years ago, permitting greater political activity in the country;

6. *Expects* that the measures already adopted by the Government of Chile in favour of a transition to democracy will lead to a genuine improvement in the situation of human rights and fundamental freedoms of the Chilean people;

7. *Expresses once again its concern* at the persistence of serious violations of human rights and fundamental freedoms in Chile, as stated in the provisional report of the Special Rapporteur;

8. *Again urges* the Government of Chile to put an end to this situation and to the legislation that makes it possible; to continue adopting measures to permit the restoration of the rule of law in Chile; to ensure the independence of the judiciary and the effectiveness of judicial remedies; to respect human rights in accordance with the principles of the Universal Declaration of Human Rights and to comply with its obligations under various international instruments in order to ensure the enjoyment and effective exercise of human rights and fundamental freedoms;

9. *Urges* the Government of Chile to authorize, in accordance with the recommendations of the Special Rapporteur and in conformity with existing laws, the official publication of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights;

10. *Invites* the Commission on Human Rights to consider at its forty-fifth session, as a matter of high priority, the situation of human rights in Chile, bearing in mind the report of the Special Rapporteur and the pertinent available information, to consider also the measures necessary for the restoration of human rights in Chile, including the extension of the mandate of the Special Rapporteur, and

¹⁷⁸ A/43/624, annex.