

THE GENERAL ASSEMBLY

- 1) EMPHASISING ITS COMMITMENT TO FOSTER UNIVERSAL RESPECT FOR, AND OBSERVANCE OF, HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS FOR ALL IN ACCORDANCE WITH THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS,
- 2) RECALLING THAT, IN ACCORDANCE WITH THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, EVERYONE HAS THE RIGHT TO LIFE, LIBERTY AND THE SECURITY OF PERSON AND THE RIGHT NOT TO BE SUBJECTED TO ARBITRARY ARREST, DETENTION OR EXILE, OR TO TORTURE OR TO CRUEL INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT,
- 3) 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,
- 4) CONSIDERING THAT, IN ITS RESOLUTION 31/124 OF 16 DECEMBER 1976, THE GENERAL ASSEMBLY EXPRESSED ITS PROFOUND INDIGNATION THAT CONSTANT AND FLAGRANT VIOLATIONS OF HUMAN RIGHTS HAD TAKEN PLACE AND CONTINUED TO TAKE PLACE IN CHILE, IN PARTICULAR THE INSTITUTIONALISED PRACTICE OF TORTURE, CRUEL, INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT, PKX FOR POLITICAL REASONS, ARBITRARY ARREST, DETENTION, EXILE ANIVATION OF CHILEAN NATIONALITY,
- 5) REAFFIRMING ONCE MORE ITS CONDEMNATION OF ALL FORMS OF TORTURE AND OF CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT,
- 6) CONSIDERING THAT ITS EFFORTS AND THOSE OF THE ECONOMIC AND SOCIAL COUNCIL, THE COMMISSION ON HUMAN RIGHTS, THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES, THE INTERNATIONAL LABOUR ORGANISATION, THE WORLD HEALTH ORGANISATION AND THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION FOR THE RESTORATION OF BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN CHILE HAVE NOT MET WITH THE RESPONSE THAT THEIR AUTHORITY AND UNANIMITY OF PURPOSE DEMAND,
- 7) BEARING IN MIND RESOLUTION 8 (XXXI) OF 27 FEBRUARY 1975, 3 (XXXII) OF 19 FEBRUARY 1976 AND 9 (XXXIII) OF 9 MARCH OF THE COMMISSION ON HUMAN RIGHTS,
- 8) TAKING INTO ACCOUNT RESOLUTION 3B (XXIX) OF 31 AUGUST 1976 AND SQUARE BRACKETS BEGINS INSERT THE LATEST SQUARE BRACKETS ENDS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES,

9) NOTING THAT THE COMMISSION ON HUMAN RIGHTS AT ITS 34TH SESSION WILL BE CONSIDERING REPORTS ON THE CONSEQUENCES OF THE VARIOUS FORMS OF AID EXTENDED TO THE CHILEAN AUTHORITIES AND ON A VOLUNTARY FUND TO RECEIVE CONTRIBUTIONS AND DISTRIBUTE, UNDER THE AUTHORITY OF AN INDEPENDENT BOARD OF TRUSTEES, HUMANITARIAN AND FINANCIAL AID TO THOSE DETAINED OR IMPRISONED IN CHILE,

10) HAVING CONSIDERED THE REPORTS OF THE AD HOC WORKING GROUP ON THE SITUATION OF HUMAN RIGHTS IN CHILE AS WELL AS THE DOCUMENTS SUBMITTED BY THE CHILEAN AUTHORITIES,

11) EXPRESSING ITS GRATITUDE TO THE CHAIRMAN AND THE MEMBERS OF THE AD HOC WORKING GROUP FOR THEIR REPORT, PREPARED DESPITE THE REFUSAL TO DATE OF THE CHILEAN AUTHORITIES TO PERMIT THE GROUP TO VISIT THE COUNTRY IN ACCORDANCE WITH ITS MANDATE,

12) HAVING REGARD TO THE DEMOCRATIC TRADITIONS AND SAFEGUARDS FORMERLY ENJOYED BY THE CHILEAN PEOPLE,

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13) ENDORSING THE AD HOC WORKING GROUP'S CONCLUSION THAT, NOTWITHSTANDING RECENT DEVELOPMENTS INDICATING SOME REDUCTION IN THE SCALE OF REPRESSION AND PERSECUTION IN CHILE, THE CHILEAN AUTHORITIES SYSTEMATICALLY REFUSE TO RESPECT THE RIGHT TO LIBERTY AND SECURITY OF THOSE PERSONS BELIEVED TO BE OPPOSED TO THE MILITARY REGIME.

1. EXPRESSES ITS PROFOUND CONCERN THAT THE CHILEAN PEOPLE CONTINUE TO LACK ADEQUATE CONSTITUTIONAL AND JUDICIAL SAFEGUARDS OF THEIR RIGHTS AND LIBERTIES AND TO SUFFER ASSAULTS ON THE FREEDOM AND INTEGRITY OF THEIR PERSON, IN PARTICULAR BY SYSTEMATIC METHODS OF INTIMIDATION INCLUDING ARBITRARY ARREST AND DETENTION AND THE USE OF TORTURE OR ROUGH TREATMENT AGAINST THE VICTIMS:

2. EXPRESSES ITS PARTICULAR CONCERN AND INDIGNATION AT THE CONTINUING REFUSAL OF THE CHILEAN AUTHORITIES TO ACCEPT RESPONSIBILITY OR ACCOUNT FOR THE LARGE NUMBER OF MISSING CHILEAN CITIZENS WHOSE DISAPPEARANCE IS SHOWN BY THE AVAILABLE EVIDENCE TO BE ATTRIBUTABLE TO POLITICAL REASONS, OR EVEN TO UNDERTAKE AN ADEQUATE INVESTIGATION OF CASES DRAWN TO THEIR ATTENTION:

3. FURTHER DEPLORES THE UNSATISFACTORY WAY IN WHICH THE CHILEAN AUTHORITIES HAVE SOUGHT TO FULFIL THEIR UNDERTAKINGS TO THE SECRETARY-GENERAL OF THE UNITED NATIONS RELATING TO THE DISAPPEARED RELATIVES OF THE CHILEANS WHO DREW ATTENTION TO THEIR PLIGHT BY ENGAGING IN A HUNGER STRIKE AT THE HEADQUARTERS BUILDINGS OF THE UNITED NATIONS ECONOMIC COMMISSION FOR LATIN AMERICA:

4. EMPHASISES ITS PROFOUND REGRET THAT CONTACTS BETWEEN THE AD HOC WORKING GROUP AND THE CHILEAN AUTHORITIES HAVE NOT SUCCEEDED IN ESTABLISHING A BASIS FOR THE WORKING GROUP TO ENTER CHILE IN ACCORDANCE WITH THEIR MANDATE AND ACCORDING TO THE UNDERTAKINGS PREVIOUSLY EXPRESSED BY THE CHILEAN AUTHORITIES:

5. CALLS THEREFORE ON THE CHILEAN AUTHORITIES TO RESTORE AND SAFEGUARD BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOM AND FULLY TO RESPECT PROVISIONS OF THE INTERNATIONAL INSTRUMENTS TO WHICH CHILE IS A PARTY, AND TO THIS END

- A) TO CEASE USING THE STATE OF SIEGE OR EMERGENCY FOR THE PURPOSE OF VIOLATING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS AND, HAVING REGARD TO THE OBSERVATIONS ON THIS SUBJECT BY THE AD HOC WORKING GROUP IN THEIR LATEST REPORT ON THE SITUATION IN CHILE, TO RE-EXAMINE THE BASIS ON WHICH THE STATE OF SIEGE OR EMERGENCY IS APPLIED, WITH A VIEW TO ITS TERMINATION:
 - B) TO PUT AN END TO THE PRACTICES OF TORTURE AND OTHER FORMS OF INHUMAN OR DEGRADING TREATMENT BY CHILEAN STATE AGENTS AND TO PROSECUTE AND PUNISH THOSE WHO ARE RESPONSIBLE:
 - C) TO RESPOND POSITIVELY AND URGENTLY TO THE PROFOUND INTERNATIONAL CONCERN AT THE FATE OF MISSING PERSONS WHOSE DISAPPEARANCE IS ATTRIBUTABLE TO POLITICAL REASONS:
 - D) TO RELEASE IMMEDIATELY THOSE WHO ARE IMPRISONED FOR POLITICAL REASONS:
 - E) TO GUARANTEE FULLY THE RIGHT OF HABEASE CORPUS:
 - F) TO CEASE THE ARBITRARY DEPRIVATION OF CHILEAN NATIONALITY AND TO RESTORE IT TO THOSE WHO HAVE BEEN SO DEPRIVED:
 - G) TO RESPECT THE RIGHT OF EVERYONE TO FREEDOM OF ASSOCIATION WITH OTHERS, INCLUDING THE RIGHT TO FORM AND JOIN TRADE UNIONS FOR THE PROTECTION OF HIS INTERESTS:
 - H) TO GUARANTEE THE RIGHT TO INTELLECTUAL FREEDOM:
 - I) TO REACH AGREEMENT WITHOUT FURTHER DELAY WITH THE WORKING GROUP TO ENABLE THEM TO FULFIL THEIR MANDATE BY MAKING A VISIT TO CHILE.
6. INVITES THE COMMISSION ON HUMAN RIGHTS TO EXTEND THE MANDATE OF THE AD HOC WORKING GROUP AS PRESENTLY CONSTITUTED SO AS TO ENABLE IT TO REPORT TO THE GENERAL ASSEMBLY AT ITS 33RD SESSION AND TO THE COMMISSION AT ITS 35TH SESSION WITH SUCH ADDITIONAL INFORMATION AS MAY BE NECESSARY.