

for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners”;

(c) The terms “cruel, inhuman or degrading treatment or punishment” have not been defined by the General Assembly, but should be interpreted to extend the widest possible protection against abuses, whether physical or mental;

(d) The provision is intended to cover all persons who are in any way involved in conduct covered by this provision.

#### Article 6

Law enforcement officials having custody of persons needing medical attention should secure such attention and take immediate action to meet the needs of the person in custody.

#### Commentary:

(a) “Medical attention” refers to services rendered by any medical personnel, including certified medical practitioners and paramedics. While in practice the medical personnel referred to is likely to be attached to the law enforcement operation, the provision should be understood to require law enforcement officials to take into account the judgement of medical personnel from outside the law enforcement operation. This envisages that the person in question has access to medical attention from other medical personnel, including that person’s own physician;

(b) All medical personnel must act in conformity with principles of medical ethics.

#### Article 7

Law enforcement officials must refrain from and rigorously oppose and pursue all acts of corruption.

#### Commentary:

(a) Corruption is intolerable in all phases of life, particularly in the public service agencies. Governments cannot expect to enforce the law among their citizens if they cannot, or will not, enforce their law against their own agents and within their own agencies;

(b) While the definition of corruption must be subject to national law, it should be understood to encompass the commission or omission of an act in the performance of or in connexion with one’s duties, in response to gifts, promises or incentives demanded or accepted, or the wrongful receipt of these once the act has been committed or omitted.

#### Article 8

Law enforcement officials must refrain from and prevent and rigorously oppose all violations of this code by taking appropriate action, to the best of their capability. When violations have occurred, or can be expected to occur, law enforcement officials should report the matter within the chain of command, or take such other actions as are lawfully open to them, including, when necessary, the reporting to any agency with reviewing or remedial power.

#### Commentary:

(a) The provision seeks to preserve the balance between the need for internal discipline of the agency on which the public safety is largely dependent, on the one hand, and the need for dealing with violations of basic human rights, on the other. A law enforcement official should report violations within the chain of command and take legal action outside the chain of command only when no other remedies are available;

(b) The term “agency with reviewing or remedial power” refers to any agency existing under national law, whether internal to the law enforcement agency, or independent thereof, with statutory, customary or other power to review

grievances and complaints arising out of violations within the purview of this code;

(c) While in most countries such agencies are statutory bodies, in some countries the mass media may be regarded as performing similar complaint review functions so that a law enforcement official, on his own initiative, may be justified in bringing his report to public attention by such means, as a last resort, consistent with the laws and customs of the country in question.

#### Article 9

A law enforcement official who, in fulfilling the obligation of this code, erroneously exceeds the limits of law despite honest and conscientious assessment, is entitled to the full protection afforded by national law.

#### Article 10

A law enforcement official who complies with the provisions of this code deserves the respect, the full support and the collaboration of the community and of the law enforcement agency in which that official serves, as well as the support of the law enforcement profession.

### 2076 (LXII). Extension of the Standard Minimum Rules for the Treatment of Prisoners to persons arrested or imprisoned without charge

*The Economic and Social Council,*

Recalling its resolution 663 C (XXIV) of 31 July 1957 and General Assembly resolution 3144 B (XXVIII) of 14 December 1973,

Recalling also General Assembly resolution 3218 (XXIX) of 6 November 1974 and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment annexed to General Assembly resolution 3452 (XXX) of 9 December 1975,

Aware that despite the increase in the influence of the *Standard Minimum Rules for the Treatment of Prisoners*,<sup>85</sup> violations of the Rules are frequently occurring,

Recalling that in paragraph 6 of its resolution 1993 (LX) of 12 May 1976, the Economic and Social Council requested the Committee on Crime Prevention and Control to study the range of application of the Standard Minimum Rules for the Treatment of Prisoners and to formulate a set of implementing procedures for these Rules,

Having considered the report of the Committee on Crime Prevention and Control on its fourth session,<sup>86</sup> as well as the report of the Commission for Social Development on its twenty-fifth session,<sup>87</sup>

Decides that a new section E, entitled “Persons arrested or imprisoned without charge” should be added to part II of the *Standard Minimum Rules for the Treatment of Prisoners*, reading as follows:

#### “Rule 95

“Without prejudice to the provisions of article 9 of the International Covenant on Civil and Political Rights, persons arrested or imprisoned without charge shall be accorded the same protection as that ac-

<sup>85</sup> *First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat* (United Nations publication, Sales No. 1956.IV.4), annex I.A.

<sup>86</sup> E/CN.5/536.

<sup>87</sup> *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 5 (E/5915).*

corded under part I and part II, section C. Relevant provisions of part II, section A, shall likewise be applicable where their application may be conducive to the benefit of this special group of persons in custody, provided that no measures shall be taken implying that re-education or rehabilitation is in any way appropriate to persons not convicted of any criminal offence."

*2059th plenary meeting  
13 May 1977*

**2077 (LXII). The elderly: progress report on the implementation of General Assembly resolution 3137 (XXVIII) of 14 December 1973**

*The Economic and Social Council,*

*Having taken note* of the progress report of the Secretary-General on the question of the elderly and the aged,<sup>88</sup>

1. *Approves* the report of the Secretary-General;
2. *Requests* the Secretary-General to pursue, expand and consolidate his work on the status of the elderly, particularly with regard to research and exchanges of information, taking into account the views expressed during the debates which took place on the question at the twenty-fifth session of the Commission for Social Development.

*2059th plenary meeting  
13 May 1977*

**2078 (LXII). Youth in the contemporary world**

*The Economic and Social Council,*

*Recalling* the many previous resolutions of the General Assembly and the Economic and Social Council on youth,

*Wishing* to improve and co-ordinate the efforts of the United Nations with regard to the participation of youth in achieving the objectives of the Charter of the United Nations,

*Convinced* of the imperative need to direct the energies, enthusiasm and creative abilities of young people to the task of nation building, to the economic, social and cultural advancement of peoples, the preservation of world peace, the protection and promotion of human rights and the promotion of international co-operation and understanding,

*Aware* of the continuing need to educate youth in the spirit of the ideals of peace, mutual respect and understanding between peoples and to foster among the young respect for all peoples, irrespective of nationality, race, sex or religion, regard for human values and devotion to the ideals of peace, freedom and progress and to the cause of human rights,

*Bearing in mind* the valuable contribution that youth can make to the evolution of co-operation among States on the basis of equality and justice and to the ushering in of a new international economic order,

*Noting* the views on the subject of youth expressed in the report of the Commission for Social Development on its twenty-fifth session,<sup>89</sup>

<sup>88</sup> E/CN.5/531.

<sup>89</sup> See *Official Records of the Economic and Social Council, Sixty-second Session, Supplement No. 5 (E/5915)*, chap. IX.

1. *Requests* the Secretary-General, in the course of preparing the reports and documents called for in General Assembly resolutions 31/129 and 31/130 of 16 December 1976, to submit to the Economic and Social Council, through the Commission for Social Development at its twenty-sixth session, proposals for action-oriented guidelines which would help to identify the particular policies and actions required at national and international levels to bring about more effective and widespread youth participation;

2. *Requests also* the Secretary-General, in order to give effect to a co-ordinated and practical approach to youth policies and programmes, to establish an inter-agency task force drawn from the Secretariat of the United Nations and the specialized agencies directly concerned with youth policies and programmes, and to report on the work of this task force to the General Assembly, through the Economic and Social Council;

3. *Requests further* the Secretary-General, in recruitment, to give consideration to increasing the proportion of staff members in the Professional category of the United Nations Secretariat under the age of 30, without prejudice to the principle of equitable geographical distribution;

4. *Decides* to bring to the attention of the Commission on Human Rights at its thirty-fourth session the reports of the Secretary-General on popular participation, women, youth and children<sup>90</sup> and on problems facing youth;<sup>91</sup>

5. *Recommends* to the General Assembly at its thirty-second session the adoption of the guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations contained in the annex to the present resolution.

*2059th plenary meeting  
13 May 1977*

**ANNEX**

**Guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations**

*A. National*

1. The Administrator of the United Nations Development Programme should be requested to continue exploring, in consultation with the Government concerned, ways to involve youth organizations in development activities of the United Nations at the national level.

2. The United Nations Office of Public Information should continue to work in close co-operation with the Joint United Nations Information Committee to provide information on the issues on which the United Nations is working in such a way as to attract young people, at the national level, and interest them in the ideals and principles of the Charter of the United Nations.

3. Bearing in mind proposals contained in his note on the role of youth in the promotion and protection of human rights,<sup>a</sup> the Secretary-General should explore, in consultation with Governments, the feasibility of identifying a national liaison and focal point on youth within each country, taking into consideration the networks of national correspondents which have been set up to facilitate communication between countries and with the United Nations in allied fields of social development.

<sup>a</sup> E/CN.5/528 and Corr.1.

<sup>90</sup> E/CN.5/549.

<sup>91</sup> E/CN.5/534.