

9. *Requests* the Commission on Human Rights at its thirty-eighth session thoroughly to examine the situation in El Salvador on the basis of the final report of the Special Representative of the Commission on Human Rights;

10. *Decides* to maintain under consideration, during its thirty-seventh session, the situation of human rights and fundamental freedoms in El Salvador, in order to examine anew this situation in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

*101st plenary meeting
16 December 1981*

36/156. Humanitarian assistance to refugees in Djibouti

The General Assembly,

Recalling its resolution 35/182 of 15 December 1980 on humanitarian assistance to refugees in Djibouti,

Recalling also Economic and Social Council resolutions 1980/11 of 28 April 1980, 1980/44 of 23 July 1980 and 1981/4 of 4 May 1981 on assistance to the refugees in Djibouti,

Having heard the statement of the United Nations High Commissioner for Refugees,¹³⁴

Taking note with satisfaction of the report of the Secretary-General on humanitarian assistance to refugees in Djibouti¹³⁵ and the report of the High Commissioner annexed thereto,

Deeply concerned about the persistence of the food shortage in the country, which has been aggravated by the devastating effects of the prolonged drought,

Aware of the determined efforts made by the Government of Djibouti to cope with the refugee situation, despite the impact of the devastating effects of the prolonged drought,

Aware also of the consequences of the social and economic burden placed on the Government and people of Djibouti as a result of the influx of refugees and the subsequent impact on the national development and infrastructure of the country,

Noting with satisfaction the concern and continued efforts of the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme, the United Nations Children's Fund, the World Health Organization, the World Food Programme and the intergovernmental and non-governmental organizations, which have worked closely with the Government of Djibouti in the relief and rehabilitation programme for the refugees and drought-stricken population in Djibouti,

1. *Takes note with appreciation* of the report of the Secretary-General on humanitarian assistance to refugees in Djibouti and that of the United Nations High Commissioner for Refugees annexed thereto;

2. *Appreciates* the efforts made by the High Commissioner to keep the refugee situation under constant review and invites him to continue his humanitarian assistance to the refugees in Djibouti;

3. *Requests* the High Commissioner to continue to ensure that adequate assistance programmes are organized for the refugees and to maintain close contact with Member States and intergovernmental and non-governmental organizations concerned to mobilize the necessary assistance to the Government of Djibouti to cope effectively with the

refugee situation aggravated by the debilitating effects of the drought;

4. *Calls upon* all Member States, the organizations of the United Nations system, the specialized agencies and the intergovernmental and non-governmental organizations to continue to support the efforts made by the Government of Djibouti to cope with the needs of the refugee population and other victims of the drought;

5. *Requests* the Secretary-General, in co-operation with the High Commissioner, to review the present situation of refugees in Djibouti and to report to the Economic and Social Council at its first regular session of 1982 and to the General Assembly at its thirty-seventh session on the progress achieved with regard to the refugee situation in Djibouti.

*101st plenary meeting
16 December 1981*

36/157. Protection of human rights in Chile

The General Assembly,

Reaffirming its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

Underlining the obligation of Governments to protect and promote human rights and to carry out the responsibilities they have undertaken under various international instruments,

Determined to remain vigilant with regard to violations of human rights wherever they occur and to take measures in order to restore respect for human rights and fundamental freedoms,

Recalling its resolutions 31/124 of 16 December 1976, 32/118 of 16 December 1977, 33/175 of 20 December 1978, 34/179 of 17 December 1979 and 35/188 of 15 December 1980 on the protection of human rights in Chile, and 33/173 of 20 December 1978 on disappeared persons,

Recalling also Commission on Human Rights resolution 11 (XXXV) of 6 March 1979¹³⁶ on 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 resolution 9 (XXXVII) of 26 February 1981,¹³⁷ in which it decided to extend the mandate of the Special Rapporteur for another year,

Deploing the fact that the Chilean authorities have consistently refused to co-operate with the Special Rapporteur appointed by the Commission on Human Rights and with other United Nations bodies in the field of human rights,

Deeply concerned about the persistence and, in certain respects, the deterioration of situations which affect the enjoyment and exercise of human rights and fundamental freedoms in Chile, as stated in the report of the Special Rapporteur,¹³⁸

Expressing deep concern that the whereabouts of the numerous persons who have disappeared over the past years for political reasons are still unknown and that the Chilean authorities continue to fail to take urgent and effective measures to investigate and clarify the fate of persons who have disappeared,

Noting with grave concern that the new Constitution in force in Chile as from 11 March 1981, which was prepared with a lack of popular participation, not only fails to guarantee fully, but in certain respects allows interference with, human rights and fundamental freedoms,

¹³⁶ See *Official Records of the Economic and Social Council, 1979, Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

¹³⁷ *Ibid.*, 1981, *Supplement No. 5 (E/1981/25 and Corr.1)*, chap. XXVIII, sect. A.

¹³⁸ See A/36/594

¹³⁴ *Official Records of the General Assembly, Thirty-sixth Session, Third Committee, 56th meeting, paras. 1-3.*

¹³⁵ A/36/214.

1. *Commends* the Special Rapporteur on the situation of human rights in Chile for his report, prepared in accordance with Commission on Human Rights resolution 9 (XXXVII);

2. *Reiterates* its grave concern at the persistence and, in some respects, the deterioration of the human rights situation in Chile, as stated by the Special Rapporteur, and particularly:

(a) The disruption of the traditional democratic legal order and its institutions by the maintenance and expansion of emergency legislation and the promulgation of a constitution that fails to reflect a freely expressed popular will and clearly hampers the human rights and fundamental freedoms of the Chilean people and allows interference with such rights and freedoms;

(b) The intensification of practices such as arbitrary detention and confinement in secret places, often accompanied by torture and inhuman or degrading treatment which, on occasion, result in unexplained deaths;

(c) The persecution, intimidation and imprisonment, as well as the banishment and forced exile, of a number of persons who participate in trade union, academic and cultural and humanitarian activities;

3. *Reiterates also* its great concern at the fact that the remedies of *habeas corpus* or *amparo* prove to be not effective owing to the fact that the judiciary in Chile does not fully exercise its powers in this respect and performs its functions with utmost restrictions;

4. *Urges* the Chilean authorities to respect and promote human rights in accordance with their obligations under various international instruments and, in particular, to take the following concrete steps that could enable the Commission on Human Rights to consider terminating the mandate of the Special Rapporteur:

(a) To put an end to the state of emergency, under which continued human rights violations occur, and to restore the democratic institutions and constitutional guarantees formerly enjoyed by the Chilean people;

(b) To put an end to arbitrary detentions, physical or psychological intimidation and prosecution of persons who exercise their right to freedom of expression and opinion, including the right to petition;

(c) To respect the human rights of persons detained for political reasons and to separate them from those detained for criminal offences;

(d) To take effective measures to prevent torture and other forms of cruel, inhuman or degrading treatment resulting, *inter alia*, in unexplained deaths and to prosecute and punish those responsible for such practices;

(e) To investigate and clarify the fate of persons who have disappeared for political reasons, to inform the relatives of those persons of the outcome of the investigation and to prosecute and punish those responsible for such disappearances;

(f) To restore fully trade union rights, especially the freedom to form trade unions which can operate freely without governmental control and can exercise fully the right to strike;

(g) To guarantee the freedom of assembly and association, and the freedom of Chilean citizens freely to enter and leave the country, and to end the practice of banishment applied to nationals, a practice which amounts to forced exile from the country;

5. *Urges once more* the Chilean authorities to cooperate with the Special Rapporteur and to comply with their obligations under various international human rights instruments;

6. *Requests* the Commission on Human Rights at its thirty-eighth session to study thoroughly the report of the Special Rapporteur;

7. *Invites* the Commission on Human Rights to extend the mandate of the Special Rapporteur for another year and requests the Commission to report on the human rights situation in Chile, through the Economic and Social Council, to the General Assembly at its thirty-seventh session.

*101st plenary meeting
16 December 1981*

36/158. Situation of refugees in the Sudan

The General Assembly,

Recalling its resolution 35/181 of 15 December 1980 on the situation of refugees in the Sudan,

Recalling further Economic and Social Council resolution 1981/5 of 4 May 1981,

Having heard the statement delivered by the United Nations High Commissioner for Refugees before the Third Committee on 16 November 1981,¹⁵⁹

Taking note of the ever-increasing number of refugees arriving in the Sudan,

Appreciating the measures which the Government of the Sudan, a least developed country, is taking in order to provide shelter, food and other services to the growing number of refugees in the Sudan,

Recognizing the heavy burden placed on the Government of the Sudan in caring for the growing number of refugees and the need for adequate international assistance to continue its efforts to render assistance to the refugees,

1. *Takes note* of the report of the Secretary-General¹⁴⁰ containing the findings of the sectoral follow-up missions which have so far been completed;

2. *Requests* the Secretary-General, in co-operation with the relevant agencies, to arrange for the completion of the remaining technical follow-up missions;

3. *Expresses its appreciation* to the donor Government, intergovernmental organizations, non-governmental organizations, the Secretary-General and the United Nations High Commissioner for Refugees for their valuable assistance rendered to refugees in the Sudan;

4. *Appeals* to all Member States, international organizations and voluntary agencies to render the maximum possible financial, material and technical assistance to the Government of the Sudan in its efforts to provide all necessary service to the refugees;

5. *Requests* the Secretary-General, in co-operation with the High Commissioner, to submit a comprehensive report to the Economic and Social Council at its first regular session of 1982 as well as to the General Assembly at its thirty-seventh session on the progress achieved in the implementation of the present resolution.

*101st plenary meeting
16 December 1981*

36/159. Social aspects of the development activities of the United Nations

The General Assembly,

Taking note of Economic and Social Council resolution 1981/24 of 6 May 1981 on the social aspects of the development activities of the United Nations,

¹⁵⁹ *Official Records of the General Assembly, Thirty-sixth Session, Third Committee, 50th meeting, paras. 2-20.*

¹⁴⁰ A/36/216 and Add.I.