

2. *Calls upon* the parties to co-operate fully with the investigatory body and, to this effect, to appoint their representatives thereto forthwith;

3. *Requests* the Secretary-General to continue to provide his good offices through his Special Representative in Cyprus, to support the establishment of the investigatory body.

90th plenary meeting
20 December 1978

33/173. Disappeared persons

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights,⁹³ in particular articles 3, 5, 9, 10 and 11 concerning, *inter alia*, the right to life, liberty and security of person, freedom from torture, freedom from arbitrary arrest and detention, and the right to a fair and public trial, and the provisions of articles 6, 7, 9 and 10 of the International Covenant on Civil and Political Rights,⁹⁴ which define and establish safeguards for certain of these rights,

Deeply concerned by reports from various parts of the world relating to enforced or involuntary disappearances of persons as a result of excesses on the part of law enforcement or security authorities or similar organizations, often while such persons are subject to detention or imprisonment, as well as of unlawful actions or widespread violence,

Concerned also at reports of difficulties in obtaining reliable information from competent authorities as to the circumstances of such persons, including reports of the persistent refusal of such authorities or organizations to acknowledge that they hold such persons in their custody or otherwise to account for them,

Mindful of the danger to the life, liberty and physical security of such persons arising from the persistent failure of these authorities or organizations to acknowledge that such persons are held in custody or otherwise to account for them,

Deeply moved by the anguish and sorrow which such circumstances cause to the relatives of disappeared persons, especially to spouses, children and parents,

1. *Calls upon* Governments:

(a) In the event of reports of enforced or involuntary disappearances, to devote appropriate resources to searching for such persons and to undertake speedy and impartial investigations;

(b) To ensure that law enforcement and security authorities or organizations are fully accountable, especially in law, in the discharge of their duties, such accountability to include legal responsibility for unjustifiable excesses which might lead to enforced or involuntary disappearances and to other violations of human rights;

(c) To ensure that the human rights of all persons, including those subjected to any form of detention and imprisonment, are fully respected;

(d) To co-operate with other Governments, relevant United Nations organs, specialized agencies, intergovernmental organizations and humanitarian bodies in a common effort to search for, locate or account for such persons in the event of reports of enforced or involuntary disappearances;

⁹³ Resolution 217 A (III).

⁹⁴ Resolution 2200 A (XXI), annex.

2. *Requests* the Commission on Human Rights to consider the question of disappeared persons with a view to making appropriate recommendations;

3. *Urges* the Secretary-General to continue to use his good offices in cases of enforced or involuntary disappearances of persons, drawing, as appropriate, upon the relevant experience of the International Committee of the Red Cross and of other humanitarian organizations;

4. *Requests* the Secretary-General to draw the concerns expressed in the present resolution to the attention of all Governments, regional and interregional organizations and specialized agencies for the purpose of conveying on an urgent basis the need for disinterested humanitarian action to respond to the situation of persons who have disappeared.

90th plenary meeting
20 December 1978

33/174. Establishment of the United Nations Trust Fund for Chile

The General Assembly,

Recalling its resolutions 31/124 of 16 December 1976 and 32/118 of 16 December 1977 and taking note of Economic and Social Council resolution 1978/15 of 5 May 1978 and Commission on Human Rights resolution 13 (XXXIV) of 6 March 1978,⁹⁵

1. *Decides* to establish a voluntary fund, called the United Nations Trust Fund for Chile, administered in accordance with the Financial Regulations of the United Nations by the Secretary-General with the advice of a Board of Trustees, composed of a chairman and four members with wide experience of the situation in Chile, to be appointed by the Secretary-General with due regard to equitable geographical distribution and in consultation with their Governments, to serve for a three-year term, 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;

2. *Adopts* the arrangements for the management of the Fund set forth in the annex to the present resolution;

3. *Authorizes* the Board of Trustees to promote and solicit contributions and pledges;

4. *Requests* the Secretary-General to put into immediate effect the provisions of the present resolution and to give the Board of Trustees all the assistance it may require;

5. *Appeals* to Member States to respond favourably to requests for contributions to the Fund.

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ANNEX

Arrangements for the management of the United Nations Trust Fund for Chile

1. The Secretary-General shall apply the arrangements set forth below for the management of the United Nations Trust Fund for Chile.

⁹⁵ See *Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34)*, chap. XXVI, sect. A.