

5. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Question of a convention on the rights of the child".

*111th plenary meeting
18 December 1982*

37/191. International Covenants on Human Rights

The General Assembly,

Recalling its resolutions 33/51 of 14 December 1978, 34/45 of 23 November 1979, 35/132 of 11 December 1980 and 36/58 of 25 November 1981,

Having noted the report of the Secretary-General¹⁴⁹ on the status of the International Covenant on Economic, Social and Cultural Rights,¹³⁶ the International Covenant on Civil and Political Rights¹³⁶ and the Optional Protocol to the International Covenant on Civil and Political Rights,¹³⁶

Noting with appreciation that, following its appeal, more Member States have acceded to the International Covenants on Human Rights,¹³⁶

Bearing in mind the important responsibilities of the Economic and Social Council in relation to the International Covenants on Human Rights,

Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocol thereto,

Taking into account the useful work of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights,

Taking note of Economic and Social Council resolution 1980/30 of 2 May 1980 on the development of public information activities in the field of human rights and the report of the Secretary-General on publicity for the work of the Human Rights Committee,¹⁵⁰

1. *Notes with appreciation* the report of the Human Rights Committee on its fourteenth, fifteenth and sixteenth sessions,¹⁵¹ and expresses satisfaction at the serious and constructive manner in which the Committee is continuing to perform its functions;

2. *Expresses its appreciation* to those States parties to the International Covenant on Civil and Political Rights that have extended their co-operation to the Human Rights Committee in submitting their reports under article 40 of the Covenant and urges States parties that have not yet done so to submit their reports to the Committee as speedily as possible;

3. *Urges* those States parties to the International Covenant on Civil and Political Rights that have been requested by the Human Rights Committee to provide additional information to comply with that request;

4. *Commends* those States parties to the International Covenant on Economic, Social and Cultural Rights that have submitted their reports under article 16 of the Covenant and urges States that have not yet done so to submit their reports as soon as possible;

5. *Takes note* of Economic and Social Council resolution 1982/33 of 6 May 1982 concerning the review of the composition, organization and administrative arrangements

of the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights;

6. *Emphasizes* the importance of States parties sending experts to present their reports under the International Covenants on Human Rights;

7. *Again invites* all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights as well as to consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights;

8. *Invites* the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

9. *Appreciates* that the Human Rights Committee continues to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights and of the Optional Protocol thereto;

10. *Emphasizes* the importance of strictest compliance by States parties with their obligations under the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocol thereto;

11. *Requests* the Secretary-General to continue to keep the Human Rights Committee informed of the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women and also to transmit the annual reports of the Human Rights Committee to those bodies;

12. *Requests* the Secretary-General to submit to the General Assembly at its thirty-eighth session a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights;

13. *Takes note with appreciation* of the request of the Human Rights Committee that its official records be made available annually in bound volumes—one volume to contain the summary records of public meetings of the Committee and a second volume to contain other public documents of the Committee, including reports of States parties under article 40 of the Covenant—and requests the Secretary-General to consider making, within existing resources, the arrangements which he deems most suitable and economical for publishing those annual volumes;

14. *Requests* the Secretary-General to continue to take all possible steps to ensure that the Centre for Human Rights of the Secretariat is able effectively to assist the Human Rights Committee and the Economic and Social Council in the implementation of their respective functions under the International Covenants on Human Rights, taking into account General Assembly resolutions 3534 (XXX) of 17 December 1975 and 31/93 of 14 December 1976.

*111th plenary meeting
18 December 1982*

37/192. Capital punishment

The General Assembly,

Recalling its decision 35/437 of 15 December 1980 and its resolution 36/59 of 25 November 1981 concerning the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights,¹³⁶ aiming at the abolition of the death penalty,

¹⁴⁹ A/37/406.

¹⁵⁰ A/37/490.

¹⁵¹ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 40 (A/37/40).*

1. *Takes note* of the report of the Secretary-General;¹⁵²
2. *Requests* the Commission on Human Rights to consider the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, at its thirty-ninth and fortieth sessions, taking into account the documents considered by the General Assembly on this subject as well as the views of Governments thereon, and to submit a report, through the Economic and Social Council, to the Assembly at its thirty-ninth session;
3. *Decides* to resume at its thirty-ninth session, under the item entitled "International Covenants on Human Rights", consideration of the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, with a view to considering what steps may be taken in this area.

*111th plenary meeting
18 December 1982*

37/193. Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Bearing in mind article 7 of the International Covenant on Civil and Political Rights,¹⁵⁶

Recalling also its resolution 32/62 of 8 December 1977, in which it requested the Commission on Human Rights to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment, in the light of the principles embodied in the Declaration, and its resolution 32/63 of 8 December 1977,

Recalling further that the Sixth United Nations Congress on the Prevention of Crime and Treatment of Offenders, in its resolution 11 of 5 September 1980, expressed the belief that the draft convention should be finalized at the earliest possible time,¹⁵³

Considering that it was not found possible to complete the work on the draft convention during the thirty-eighth session of the Commission on Human Rights,

1. *Welcomes* Economic and Social Council resolution 1982/38 of 7 May 1982, by which the Council authorized a meeting of an open-ended working group of the Commission on Human Rights for a period of one week prior to the thirty-ninth session of the Commission to complete the work on a draft convention on torture and other cruel, inhuman or degrading treatment or punishment;
2. *Requests* the Commission on Human Rights to complete as a matter of highest priority, at its thirty-ninth session, the drafting of a convention on torture and other cruel, inhuman or degrading treatment or punishment, with a view to submitting a draft, including provisions for the effective implementation of the future convention, to the General Assembly at its thirty-eighth session;

¹⁵² A/37/407 and Add.1.

¹⁵³ See *Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Caracas, 25 August-5 September 1980: Report prepared by the Secretariat* (United Nations publication, Sales No. E.81.IV.4), chap. I, sect. B.

3. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

*111th plenary meeting
18 December 1982*

37/194. Principles of Medical Ethics

The General Assembly,

Recalling its resolution 31/85 of 13 December 1976, in which it invited the World Health Organization to prepare a draft code of medical ethics relevant to the protection of persons subjected to any form of detention or imprisonment against torture and other cruel, inhuman or degrading treatment or punishment,

Expressing once again its appreciation to the Executive Board of the World Health Organization which, at its sixty-third session, in January 1979, decided to endorse the principles set forth in a report entitled "Development of codes of medical ethics" containing, in an annex, a draft body of principles prepared by the Council for International Organizations of Medical Sciences and entitled "Principles of medical ethics relevant to the role of health personnel in the protection of persons against torture and other cruel, inhuman or degrading treatment or punishment",

Bearing in mind Economic and Social Council resolution 1981/27 of 6 May 1981, in which the Council recommended that the General Assembly should take measures to finalize the draft Principles of Medical Ethics at its thirty-sixth session,

Recalling its resolution 36/61 of 25 November 1981, in which it decided to consider the draft Principles of Medical Ethics at its thirty-seventh session with a view to adopting them,

Alarmed that not infrequently members of the medical profession or other health personnel are engaged in activities which are difficult to reconcile with medical ethics,

Recognizing that throughout the world significant medical activities are increasingly being performed by health personnel not licensed or trained as physicians, such as physician-assistants, paramedics, physical therapists and nurse practitioners,

Recalling with appreciation the Declaration of Tokyo of the World Medical Association, containing the Guidelines for Medical Doctors concerning Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in relation to Detention and Imprisonment, adopted by the twenty-ninth World Medical Assembly, held at Tokyo in October 1975,

Noting that in accordance with the Declaration of Tokyo measures should be taken by States and by professional associations and other bodies, as appropriate, against any attempt to subject health personnel or members of their families to threats or reprisals resulting from a refusal by such personnel to condone the use of torture or other forms of cruel, inhuman or degrading treatment,

Reaffirming the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, unanimously adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975, in which it declared any act of torture or other cruel, inhuman or degrading treatment or punishment an offence to human dignity, a denial of the purposes of the Charter of the United Nations and a violation of the Universal Declaration of Human Rights,¹⁵⁵

Recalling that, in accordance with article 7 of the Declaration adopted in resolution 3452 (XXX), each State shall