

3. *Requests* the specialized agencies and other organizations of the United Nations system to take into account in their programmes and activities the provisions of the Declaration;

4. *Invites* those Member States, specialized agencies and other organizations of the United Nations system that have not yet done so to submit their information in accordance with General Assembly resolution 35/130 A of 11 December 1980;

5. *Requests* the Commission on Human Rights to give special attention, in its consideration of the item entitled "Human rights and scientific and technological developments", to the question of the implementation of the provisions of the Declaration;

6. *Decides* to include in the provisional agenda of its thirty-seventh session the item entitled "Human rights and scientific and technological developments".

*73rd plenary meeting
25 November 1981*

B

The General Assembly,

Recalling its resolution 33/53 of 14 December 1978, in which it requested the Commission on Human Rights to urge the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake as a matter of priority a study of the question of the protection of those detained on the grounds of mental ill-health with a view to formulating guidelines,

Recalling also its resolution 35/130 B of 11 December 1980, in which it welcomed the action taken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities to implement General Assembly resolution 33/53,

Convinced that detention of persons in mental institutions on account of their political views or on other non-medical grounds is a violation of their human rights,

Noting with satisfaction the work being undertaken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on this subject in accordance with General Assembly resolutions 33/53 and 35/130 B,

Requests the Commission on Human Rights to continue its consideration of this question in the light of the action being taken by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, with a view to submitting a report to the General Assembly at its thirty-eighth session, through the Economic and Social Council.

*73rd plenary meeting
25 November 1981*

36/57. Question of a convention on the rights of the child

The General Assembly,

Recalling its resolutions 33/166 of 20 December 1978, 34/4 of 18 October 1979 and 35/131 of 11 December 1980,

Mindful of the vital link between programmes benefiting children and the observance of their rights, and a broader and more comprehensive framework of over-all economic and social development in conditions of peace,

Convinced that the fresh and necessary impetus to activities generated by the International Year of the Child should be maintained and that the new perspectives it has created should be followed by appropriate action in the years to come,

Reaffirming the important role that the United Nations Children's Fund has to play in the subject-matter concerned,

Aware of the importance of an international convention on the rights of the child for the protection of children's rights and improvement in their situation,

Having in mind Commission on Human Rights resolutions 20 (XXXIV) of 8 March 1978,⁶⁰ 19 (XXXV) of 14 March 1979,⁶¹ 36 (XXXVI) of 12 March 1980⁶² and 26 (XXXVII) of 10 March 1981,⁶³ as well as Economic and Social Council resolutions 1978/18 of 5 May 1978 and 1978/40 of 1 August 1978 and Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981,

Noting with appreciation the further progress made in the elaboration of a draft convention on the rights of the child by the Commission on Human Rights prior to and during its thirty-seventh session,

1. *Welcomes* Economic and Social Council decision 1981/144 by which the Council authorized an open-ended working group of the Commission on Human Rights to meet for a period of one week prior to the thirty-eighth session of the Commission to facilitate completion of the work on the draft convention on the rights of the child;

2. *Requests* the Commission on Human Rights to give the highest priority to the question of completing the draft convention;

3. *Requests* the Secretary-General to provide all necessary assistance to the working group in order to ensure its smooth and efficient work;

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

*73rd plenary meeting
25 November 1981*

36/58. International Covenants on Human Rights

The General Assembly,

Recalling its resolutions 32/66 of 8 December 1977, 33/51 of 14 December 1978, 34/45 of 23 November 1979 and 35/132 of 11 December 1980,

Having noted the report of the Secretary-General⁶⁴ on the status of the International Covenant on Economic, Social and Cultural Rights,⁶⁵ the International Covenant on Civil and Political Rights⁶⁵ and the Optional Protocol to the International Covenant on Civil and Political Rights,⁶⁵

Noting with appreciation that, following its appeal, more Member States have acceded to the International Covenants on Human Rights,⁶⁵

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 important responsibilities of the Sessional Working Group on the Implementation of the International Covenant on Economic, Social and Cultural Rights,

⁶⁰ See *Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34)*, chap. XXVI, sect. A.

⁶¹ *Ibid.*, 1979, *Supplement No. 6 (E/1979/36)*, chap. XXIV, sect. A.

⁶² *Ibid.*, 1980, *Supplement No. 3 (E/1980/13 and Corr. 1)*, chap. XXVI, sect. A.

⁶³ *Ibid.*, 1981, *Supplement No. 5 (E/1981/25 and Corr. 1)*, chap. XXVIII, sect. A.

⁶⁴ A/36/455.

⁶⁵ Resolution 2200 A (XXI), annex.

1. *Notes with appreciation* the report of the Human Rights Committee on its eleventh, twelfth and thirteenth sessions⁶⁶ and expresses satisfaction at the serious and constructive manner in which the Committee is continuing to undertake its functions;

2. *Expresses its appreciation* to the States parties to the International Covenant on Civil and Political Rights that have extended their co-operation to the Human Rights Committee when 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* the 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. *Takes note* of the decisions of the Human Rights Committee on the question of periodicity, and on guidelines regarding the form and content of reports from States parties under article 40, paragraph 1 (b) of the Covenant as well as of the adoption by the Committee of general comments under article 40, paragraph 4, of the Covenant;⁶⁷

5. *Commends* the 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;

6. *Takes due note* of Economic and Social Council decision 1981/162 of 8 May 1981 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 and looks forward to further results in this regard at the first regular session of the Council in 1982;

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 the 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 and the Committee on the Elimination of Racial Discrimination 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-seventh 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. *Welcomes* the measures taken by the Secretary-General to improve the publicity for the work of the Human Rights Committee and requests the Secretary-General to consider the most appropriate steps for the publication of the Committee's documentation and to report on this question to the General Assembly at its thirty-seventh session;

14. *Requests* the Secretary-General to continue to take all possible steps to ensure that the Division of Human Rights of the Secretariat is able to assist effectively 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.

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36/59. Capital punishment

The General Assembly,

Recalling its decision 35/437 of 15 December 1980,

Taking note of the report of the Secretary-General,⁶⁸

1. *Invites* Member States to submit further comments and observations on the draft resolution entitled "Measures aiming at the ultimate abolition of capital punishment (draft Second Optional Protocol to the International Covenant on Civil and Political Rights)",⁶⁹ submitted at the thirty-fifth session of the General Assembly, and requests the Secretary-General to submit to the Assembly at its thirty-seventh session a report containing the views expressed by Governments;

2. *Decides* to consider at its thirty-seventh session, under the item entitled "International Covenants on Human Rights", the idea of elaborating a draft of a second optional protocol to the International Covenant on Civil and Political Rights,⁷⁰ aiming at the abolition of the death penalty.

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36/60. 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,⁷¹

Recalling also its resolutions 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 32/63 of 8 December 1977,

Noting that, in its resolution 11 of 5 September 1980, the Sixth United Nations Congress on the Prevention of Crime

⁶⁶ Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 40 (A/36/40).

⁶⁷ *Ibid.*, annexes V-VII.

⁶⁸ A/36/441 and Add.1 and 2.

⁶⁹ Official Records of the General Assembly, Thirty-fifth Session, Annexes, agenda item 65, document A/35/742, para. 20.

⁷⁰ Resolution 2200 A (XXI), annex.

⁷¹ *Ibid.*