



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/34/145
15 August 1979
ENGLISH
ORIGINAL: ARABIC/ENGLISH/
SPANISH

Thirty-fourth session
Item 89 of the provisional agenda^a

TORTURE AND OTHER CRUEL, INHUMAN OR
DEGRADING TREATMENT OR PUNISHMENT

Unilateral declarations by Member States against torture
and other cruel, inhuman or degrading treatment or
punishment

Report of the Secretary-General

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^a A/34/150.

I. INTRODUCTION

1. In paragraph 1 of resolution 32/64 of 8 December 1977, the General Assembly called upon all Member States to reinforce their support of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by making unilateral declarations against torture and other cruel, inhuman or degrading treatment or punishment, along the lines of a model unilateral declaration annexed to the said resolution, and depositing them with the Secretary-General.
2. In paragraph 2 of the same resolution, the General Assembly also urged all Member States to give maximum publicity to their unilateral declarations against torture and other cruel, inhuman or degrading treatment or punishment. In paragraph 3, the Secretary-General was requested to inform the General Assembly, in annual reports, of such unilateral declarations as might be deposited by Member States.
3. In paragraphs 7, 8 and 9 of resolution 33/178 of 20 December 1978, the General Assembly took note of the first annual report of the Secretary-General containing unilateral declarations (A/33/197); invited Member States which have not yet done so to deposit the unilateral declarations with the Secretary-General, as called for under resolution 32/64; and requested the Secretary-General to continue to inform the General Assembly, in annual reports, of such further unilateral declarations which may be deposited by Member States.
4. In conformity with paragraph 3 of resolution 32/64 and paragraph 9 of resolution 33/178, this report reproduces the unilateral declarations received, as at 23 July 1979, from the following States: Barbados, India, Japan, Netherlands, Qatar and Spain.

II. REPLIES RECEIVED FROM GOVERNMENTS

BARBADOS

/Original: English/
/16 February 1979/

The Government of Barbados hereby declares its intention:

(a) To comply with the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted by the General Assembly on 9 December 1975, in resolution 3452 (XXX);

(b) To continue the implementation, through legislation and other effective measures, of the provisions of the said Declaration.

INDIA

/Original: Hindi and English/
/23 June 1979/

The Government of India hereby declares its intention:

(a) To comply with the principles contained in the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex).

(b) To implement, through legislation and other effective measures, the provisions of the said Declaration.

The Government of India further declares that it reserves the right not to apply the principle contained in article 11 of the Declaration in so far as it concerns the payment of compensation by the State against torture or similar offences committed by or at the instigation of public officials.

JAPAN

/Original: English/

/28 December 1978/

1. The Government of Japan hereby declares its intention:

(a) To comply with the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex);

(b) To continue to implement by all appropriate means the principles set forth in the Declaration.

2. The Government of Japan takes this opportunity to make clear that its legislation is in conformity with the provisions of the Declaration.

NETHERLANDS

/Original: English/

/5 December 1979/

The Permanent Representative of the Kingdom of the Netherlands to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to deposit with the Secretary-General the following declaration by the Government of the Kingdom of the Netherlands.

1. The Government of the Kingdom of the Netherlands solemnly declares its intention:

(a) To comply with 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 on 9 December 1975 (resolution 3452 (XXX) annex);

(b) To continue to implement, as appropriate, through legislation or other effective measures, the provisions of the said Declaration.

2. The Netherlands Government takes this opportunity to point out that its legislation is in conformity with the provisions of the Declaration.

QATAR

/Original: Arabic/

/25 May 1979/

The Government of the State of Qatar wishes to affirm its adherence to the provisions of 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 United Nations General Assembly in resolution 3452 (XXX) of 9 December 1975. The Government of the State of Qatar affirms also that it will continue to take all appropriate measures to ensure the implementation of the principles laid down in that Declaration.

Furthermore, the Government of the State of Qatar takes this opportunity to emphasize that its legislation in force is in full conformity with the provisions of the above-mentioned Declaration and that the application of these provisions requires no change in that legislation.

SPAIN

/Original: Spanish/

/1 December 1978/

The Spanish Government, in accordance with the recommendation contained in operative paragraph 1 of General Assembly resolution 32/64 dated 8 December 1977, solemnly declares its intention:

(a) To comply with 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 on 9 January 1975 in its resolution 3452 (XXX).

(b) To continue to implement, through legislation and other effective measures, the provisions of the said Declaration.

The Government of Spain takes this opportunity to point out that its legislation does conform with the provisions of the Declaration.
