

Protection of All Persons under Any Form of Detention or Imprisonment, adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-first session,⁹⁶ with a view to consideration of the matter by the General Assembly at its thirty-fifth session,

1. *Takes note* of the constructive work undertaken by the open-ended working group which has been established to elaborate a final version of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, which task, however, it has not been able to conclude;

2. *Decides* to refer to its thirty-sixth session the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, for consideration by the Sixth Committee;

3. *Decides* to establish, at its thirty-sixth session, an open-ended working group with the intention of concluding the consideration of the draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, with a view to its adoption by the General Assembly.

*96th plenary meeting
15 December 1980*

35/178. 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,⁹⁷

Recalling once again its resolutions 32/62 of 8 December 1977, in which it requested the Commission on Human Rights to draw up a draft convention on torture and other cruel, inhuman or degrading treatment or punishment in the light of the principles embodied in the Declaration, 32/63 of 8 December 1977, in which it requested the Secretary-General to draw up and circulate among Member States a questionnaire soliciting information concerning steps they had taken, including legislative and administrative measures, to put into practice the principles of the Declaration, and 32/64 of 8 December 1977, in which it called upon Member States to reinforce their support of the Declaration by making unilateral declarations against torture and other cruel, inhuman or degrading treatment or punishment,

Welcoming resolution 11 adopted on 5 September 1980 by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁹⁸ in which the Congress expressed the belief that the draft convention should be finalized at the earliest possible time,

1. *Welcomes* Economic and Social Council resolution 1980/32 of 2 May 1980, 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-seventh session of the Commission to complete the work on a draft convention against torture

and other cruel, inhuman or degrading treatment or punishment;

2. *Requests* the Commission on Human Rights to complete as a matter of urgency, at its thirty-seventh 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-sixth session;

3. *Requests* the Secretary-General to forward the replies submitted by Governments of States parties to the International Covenant on Civil and Political Rights to the questionnaire on torture to the Human Rights Committee for the use of Committee members when dealing with questions relating to torture and other cruel, inhuman or degrading treatment or punishment;

4. *Invites* Member States which have not yet done so to deposit the unilateral declarations with the Secretary-General, as called for under General Assembly resolutions 32/64 of 8 December 1977 and 33/178 of 20 December 1978;

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

*96th plenary meeting
15 December 1980*

35/179. Draft Code of Medical Ethics

The General Assembly,

Recalling its resolution 34/168 of 17 December 1979, in which it requested the Secretary-General to circulate the draft Code of Medical Ethics to Member States, the specialized agencies concerned, interested intergovernmental organizations and interested non-governmental organizations in consultative status with the Economic and Social Council for comments and suggestions,

Taking note of resolution 11 adopted on 5 September 1980 by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁹⁸ in which the Congress expressed the hope that the General Assembly would adopt the draft Code, subject to any amendments which appear to be necessary,

Taking note of the report of the Secretary-General on the draft Code of Medical Ethics,⁹⁹

Having been unable for lack of time to decide the matter during its thirty-fifth session,

Believing, however, that the elaboration of a draft Code of Medical Ethics constitutes an important step in the establishment of international standards in the field of human rights,

1. *Requests* the Secretary-General to renew his request for comments and suggestions on the draft Code of Medical Ethics to Member States, the specialized agencies concerned, interested intergovernmental organizations and interested non-governmental organizations in consultative status with the Economic and Social Council which have not yet responded to his earlier note, and to submit a revised report to the Economic and Social Council at its first regular session of 1981 and to the General Assembly at its thirty-sixth session;

⁹⁶ E/CN.4/1296, para. 109; see also A/35/401, annex.

⁹⁷ Resolution 2200 A (XXI), annex.

⁹⁸ See A/CONF.87/14/Rev.1, part one, chap. I, sect. B.

⁹⁹ A/35/372 and Add.1-3.