

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.

2. *Invites* those Member States which have not yet done so to submit their comments and suggestions on the draft Code;

3. *Requests* the Economic and Social Council to consider the draft Code at its first regular session of 1981, taking into account the comments and recommendations submitted, with a view to presenting it to the General Assembly for adoption at the thirty-sixth session;

4. *Invites* Member States to take an active part in the future deliberations on the draft Code;

5. *Decides* to consider again the question of the draft Code of Medical Ethics at its thirty-sixth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

96th plenary meeting
15 December 1980

35/180. Assistance to refugees in Somalia

The General Assembly,

Recalling its resolution 34/61 of 29 November 1979 on the situation of African refugees, by which it requested the United Nations High Commissioner for Refugees to make every effort to mobilize additional resources to meet the needs of refugees in Africa,

Having heard the statement of the High Commissioner¹⁰⁰ on the situation of refugees in Somalia,

Recalling Economic and Social Council resolution 1980/9 of 28 April 1980, by which the Council, *inter alia*:

(a) Took note of the report of the interagency mission which visited Somalia from 10 to 16 December 1979 to study the refugee situation in that country and to draw up a programme of assistance to deal with the urgent humanitarian needs there,¹⁰¹

(b) Endorsed the appeal of the Secretary-General of 11 February 1980, as well as the appeals launched by the High Commissioner, the Director-General of the Food and Agriculture Organization of the United Nations and the Executive Director of the United Nations Children's Fund, for urgent international assistance to help the Government of Somalia to provide the necessary care and attention to the refugees,

(c) Recognized the heavy burden placed on the Government of Somalia in caring for the refugees and the need for international assistance to share that burden,

Recalling further Economic and Social Council resolution 1980/53 of 24 July 1980, by which the Council, *inter alia*:

(a) Noted with concern the dramatic increase in the refugee population in Somalia,

(b) Requested the Secretary-General, in co-operation with the High Commissioner, to consider the necessity of dispatching a review mission to Somalia to assess current developments in the refugee situation, as a follow-up to the earlier report of the interagency mission,

Recognizing the heavy burden placed on the Government of Somalia in caring for the refugees and the need for international assistance to share that burden,

Mindful that Somalia is classified as a least developed country and that its meagre resources and inadequate infrastructure are not capable of coping with the refugee situation alone, without jeopardy to its social and economic development and without endangering the general well-being of the population,

Expressing deep appreciation for the assistance which has been rendered by several Member States and inter-governmental and non-governmental organizations to Somalia in support of the refugee programmes,

Deeply concerned, however, that the response of the international community to date has not been commensurate with the needs of the refugees, as described in the report of the interagency mission,

1. *Commends* the Secretary-General for taking steps to promote continued and concerted international action to assist the Government of Somalia to provide relief aid for the refugees;

2. *Takes note with appreciation* of the efforts undertaken by the United Nations High Commissioner for Refugees to provide humanitarian assistance to the refugees in Somalia;

3. *Takes note* of the measures which the Government of Somalia is taking in order to provide shelter, food and other services to the refugees in Somalia;

4. *Endorses* the appeal of the Secretary-General of 11 February 1980 and the appeals launched by the High Commissioner, the United Nations Children's Fund and the World Food Programme for urgent international assistance to help the Government of Somalia to provide the necessary care and attention to the refugees;

5. *Endorses also* the appeal of the Economic and Social Council to all Member States and intergovernmental and non-governmental organizations and all voluntary agencies to increase further their assistance to the Government of Somalia and to the various refugee programmes sponsored by the Office of the High Commissioner so as to ensure the adequate and continuous provision of emergency relief and humanitarian assistance to refugees in Somalia;

6. *Requests* the Secretary-General, in co-operation with the High Commissioner, to dispatch a mission to Somalia to make a comprehensive review of the refugee situation in that country in the light of developments since the publication of the report of the interagency mission which visited Somalia in December 1979;

7. *Further requests* the Secretary-General, in co-operation with the High Commissioner, to arrange for the report of the review mission to be circulated as soon as it is published, so that the international community may have an updated report on the condition of the refugees in Somalia and an assessment of their over-all needs, including measures for strengthening the social and economic infrastructure of the country;

8. *Requests* the Secretary-General and the High Commissioner to continue their efforts to mobilize humanitarian assistance for the relief and rehabilitation of the refugees in Somalia;

9. *Urges* Member States, the United Nations Development Programme, the World Bank and intergovernmental and financial institutions to assist Somalia in strengthening its social and economic infrastructure so that essential services and facilities can be strengthened and expanded;

10. *Requests* the Secretary-General, in co-operation with the High Commissioner, to submit the report of the

¹⁰⁰ Official Records of the General Assembly, Thirty-fifth Session, Third Committee, 51st meeting, paras. 1-8.

¹⁰¹ E/1980/44.