

tled "Human rights and scientific and technological developments", to the question of the implementation of the provisions of the Declaration;

6. *Invites* the Commission on Human Rights to assist the Sub-Commission on Prevention of Discrimination and Protection of Minorities in preparing the study requested by the Commission in its resolutions 1982/4 of 19 February 1982,¹⁰¹ 1984/29 of 12 March 1984,¹⁰³ 1986/11 of 10 March 1986¹⁰⁴ and 1988/61 of 9 March 1988;⁴⁵

7. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Human rights and scientific and technological developments".

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15 December 1989*

44/134. Human rights and scientific and technological developments

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 persons detained on the grounds of mental ill-health, with a view to formulating guidelines,

Bearing in mind the obligation of all States to promote and respect the human rights and fundamental freedoms of everyone, including disadvantaged people, such as those suffering from mental illness,

Mindful of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,¹²¹

Recalling also its resolution 43/109 of 8 December 1988, in which it welcomed the progress made by the Working Group of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and invited the Commission on Human Rights to consider the subject at its forty-fifth session, in the light of the Sub-Commission's recommendations,

Taking note of Commission on Human Rights resolution 1989/40 of 6 March 1989² and Economic and Social Council resolution 1989/76 of 24 May 1989, by which the Council authorized an open-ended working group of the Commission to examine, revise and simplify as necessary the draft body of principles and guarantees for the protection of mentally ill persons and for the improvement of mental health care submitted by the Sub-Commission,¹²² with a view to submitting it to the Commission at its forty-sixth session,

Expressing its belief that all mentally ill persons should be treated with humanity and the respect due the inherent dignity of the human person,

Reaffirming its conviction that the misuse of psychiatry to detain persons in mental institutions on account of their political views or on other non-medical grounds, as reflected in the report of the Special Rapporteur of the Sub-Commission,¹²³ is a violation of their human rights,

1. *Reiterates* the urgent need for principles and guarantees to protect persons suffering from mental disorder or detained on the grounds of mental ill-health;

2. *Welcomes* the establishment of the open-ended working group of the Commission on Human Rights, and urges that group to examine expeditiously the draft body of principles and guarantees for the protection of mentally ill persons and for the improvement of mental health care;

3. *Requests* the Commission on Human Rights to consider the subject at its forty-sixth session, in the light of the deliberations and recommendations of the open-ended working group, with a view to submitting the draft body of principles and guarantees to the General Assembly at its forty-fifth session, through the Economic and Social Council.

*82nd plenary meeting
15 December 1989*

44/135. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 43/115 of 8 December 1988, as well as its other relevant resolutions,

Taking note of Commission on Human Rights resolutions 1989/46 and 1989/47 of 6 March 1989,²

Reaffirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts made by the Organization, pursuant to the Charter of the United Nations and to the Universal Declaration of Human Rights,⁴ to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of treaty bodies established pursuant to United Nations instruments on human rights is indispensable for the effective implementation of such instruments,

Reaffirming its responsibility to ensure the proper functioning of the treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Addressing the problem of securing sufficient financial resources, which continues to hamper the proper functioning of human rights treaty bodies, and of providing sufficient resources to ensure their effective functioning;

(c) Addressing the question of reporting obligations and that of financial implications whenever considering the possibility of establishing any further instruments on human rights,

Recognizing that the effective implementation of instruments on human rights, involving periodic reporting by States parties to the relevant treaty bodies and the efficient functioning of the treaty bodies themselves, not only enhances international accountability in relation to the promotion and protection of human rights, but also provides States parties with a valuable opportunity to review policies and programmes affecting the promotion and protection of human rights and to make any appropriate adjustments,

¹²¹ Resolution 37/194, annex.

¹²² See E/CN.4/Sub.2/1988/23, sect. IV.

¹²³ E/CN.4/Sub.2/1983/17.