

Religion or Belief, held at Warsaw from 14 to 18 May 1989;

8. *Requests* the Secretary-General to invite interested non-governmental organizations to consider what further role they could envisage playing in the implementation of the Declaration and in its dissemination in national and local languages;

9. *Urges* all States to consider disseminating the text of the Declaration in their respective national languages and to facilitate its dissemination in national and local languages;

10. *Recalls with satisfaction* the decision of the Economic and Social Council, based on the recommendation of the Commission on Human Rights at its forty-fourth session, to renew for two years the mandate of the Special Rapporteur appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

11. *Notes* that the Commission on Human Rights, on the basis of a report to be submitted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, intends to consider at its forty-sixth session the question of drafting a binding international instrument on freedom of religion or belief, and emphasizes, in this connection, the relevance of General Assembly resolution 41/120 of 4 December 1986, entitled "Setting international standards in the field of human rights";

12. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration and to report, through the Economic and Social Council, to the General Assembly at its forty-fifth session;

13. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Elimination of all forms of religious intolerance" and to consider the report of the Commission on Human Rights under that item.

*82nd plenary meeting
15 December 1989*

44/132. Guidelines for the regulation of computerized personal data files

The General Assembly,

Bearing in mind Commission on Human Rights resolution 1989/43 of 6 March 1989² and Economic and Social Council resolution 1989/78 of 24 May 1989, entitled "Guidelines on the use of computerized personal data files",

1. *Expresses its appreciation* to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Louis Joinet, for his report on the draft guidelines for the regulation of computerized personal data files;¹¹⁹

2. *Conveys its thanks* to the Governments that have communicated to the Secretary-General their comments and suggestions on the draft guidelines;¹²⁰

3. *Invites* the Special Rapporteur to submit to the Commission on Human Rights at its forty-sixth session a revised version of the draft guidelines, taking into account, *inter alia*, those comments and suggestions;

4. *Requests* the Commission on Human Rights to examine the revised draft guidelines and, once it has examined and, if necessary, modified them, to transmit them, through the Economic and Social Council, to the General Assembly at its forty-fifth session for final adoption.

*82nd plenary meeting
5 December 1989*

44/133. Human rights and scientific and technological developments

The General Assembly,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Recalling the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, adopted by the General Assembly in its resolution 3384 (XXX) of 10 November 1975,

Bearing in mind the relevant provisions of the Universal Declaration of Human Rights,⁴ the International Covenant on Economic, Social and Cultural Rights,⁵ the International Covenant on Civil and Political Rights⁵ and the Declaration on Social Progress and Development,²⁸

Conscious that it is only the creative genius of man that makes progress and the development of civilization possible in a peaceful environment and that human life must be recognized as supreme,

Recalling the fundamental importance of the right to life,

Convinced that in the era of modern scientific and technological progress, the resources of mankind and the activities of scientists should be used to promote the peaceful economic, social and cultural development of countries and to improve the living standards of all people,

Bearing in mind that the exchange and transfer of scientific and technological knowledge is one of the important ways to accelerate the social and economic development of the developing countries,

Recalling its relevant resolutions,

1. *Reaffirms* the value of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind in the promotion of human rights and fundamental freedoms;

2. *Calls upon* all States to make every effort to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress;

3. *Recalls* the historic responsibility of the Governments of all countries of the world to preserve civilization and to ensure that everyone enjoys his or her inherent right to life, and calls upon them to do their utmost to assist in protecting the right to life through the adoption of appropriate measures at both the national and international levels;

4. *Calls upon* all States, appropriate United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations concerned to take the necessary measures to ensure that the results of scientific and technological progress and the material and intellectual potential of mankind are used for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

5. *Requests* the Commission on Human Rights to continue to give attention, in its consideration of the item enti-

¹¹⁹ E/CN.4/Sub.2/1988/22.

¹²⁰ See A/44/606 and Add.1.

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".

*82nd plenary meeting
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.