



## General Assembly

Distr.  
LIMITED

A/C.3/44/L.56  
15 November 1989

ORIGINAL: ENGLISH

Forty-fourth session  
THIRD COMMITTEE  
Agenda item 107

### HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Belgium, Byelorussian Soviet Socialist Republic, Colombia, Costa Rica, France, Germany, Federal Republic of, Italy, Luxembourg, Morocco, Netherlands, Norway, Samoa, Union of Soviet Socialist Republics and United Kingdom of Great Britain and Northern Ireland: draft resolution

#### 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 detained on the grounds of mental illness, with a view to formulating guidelines,

Noting the obligations 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, 1/

Recalling also its resolution 43/109 of 8 December 1987, 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,

1/ Resolution 37/194, annex.

Taking note of Commission on Human Rights resolution 1989/40 of 3 March 1989, 2/ 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 submitted by the Sub-Commission, 3/ 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 respect for 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, 4/ 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 the draft principles and guarantees expeditiously;
3. Requests the Commission on Human Rights to consider the subject at its forty-sixth session, in the light of the open-ended Working Group's deliberations and recommendations, with a view to submitting the draft principles and guarantees, through the Economic and Social Council, to the General Assembly at its forty-fifth session.

-----

---

2/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

3/ See E/CN.4/Sub.2/1989/23, sect. IV.

4/ E/CN.4/Sub.2/1983/17 and Add.1.