

# GENERAL ASSEMBLY

THIRTEENTH SESSION

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**Chairman: Mrs. Lina P. TSALDARIS (Greece).**

## Tribute to the memory of His Holiness Pope Pius XII

1. The CHAIRMAN suggested that the Committee might wish to pay a tribute to the memory of His Holiness Pope Pius XII.

The Committee observed a minute of silence in memory of His Holiness Pope Pius XII.

2. Mr. BEAUFORT (Netherlands) said that the death of His Holiness Pope Pius XII was a very great loss to humanity. He had always tried to help the poor and suffering, without discrimination of race, colour or creed, and had consistently used his influence for peace. Amidst the confusion of the modern world, he had upheld the spiritual values essential to a stable society. He would be greatly missed and sincerely mourned.

3. Mr. FERNANDEZ (Argentina), Mr. YÑIGUEZ (Philippines), Miss BERNARDINO (Dominican Republic), Miss FUJITA (Japan), Mrs. LORD (United States of America), Mrs. de LOPEZ (Colombia), Miss HAMPTON (New Zealand), Mr. ALDUNATE (Chile), Mrs. HAYDEN (Canada), Mr. COX (Peru), Mr. BOUQUIN (France), Mr. MAHMUD (Ceylon), Mr. TELSON (Haiti), Mr. HU (China) and Mrs. de ARENAS (Guatemala) associated themselves with the sentiments expressed by the previous speaker.

## AGENDA ITEM 34

**Advisory services in the field of human rights: report of the Economic and Social Council (A/3918, A/3848, chap. VII, sect. X, A/C.3/L.672)**

4. Mr. FERNANDEZ (Argentina) said that seminars on human rights were among the best methods of promoting international co-operation. In his report to the Economic and Social Council <sup>1/</sup> the Secretary-General had said that a budget appropriation of \$100,000 would be required to cover the cost of three seminars in 1959. In its seventh report to the General Assembly at its thirteenth session (A/3933), the Advisory Committee on Administrative and Budgetary Questions had recommended reducing the appropriation to only \$80,000. He would like to know

whether that sum would be sufficient to cover the three seminars now planned in Argentina, Ceylon and Colombia.

5. Mr. YÑIGUEZ (Philippines) said that the experience of the last three years had proved the effectiveness of advisory services in the field of human rights. At the seminar on the protection of human rights in criminal law and procedure held at Baguio City, Philippines, in February 1958, there had been a valuable exchange of experience and opinions, and the results had been so satisfactory that the participants had decided to recommend the organization of another seminar on the same subject in Asia in 1962. The Philippines had also participated in the seminar on the civic responsibilities and increased participation of Asian women in public life held at Bangkok in 1957, and had followed with interest the seminar on the protection of human rights in criminal law and procedure, held at Santiago, Chile, in 1958. He was inclined to think that a third seminar in another region on the same subject would be useful, and that the series should eventually be completed by an international seminar at which the conclusions and recommendations of the three regional seminars could be synthesized.

6. The time had now come to expand the programme of advisory services, particularly seminars. Accordingly, the Philippine Government had welcomed the positive tone of the Secretary-General's report to the Economic and Social Council on advisory services <sup>2/</sup> and the proposal that three seminars should be held in 1959. The increase in the budget appropriation for such services from \$55,000 to \$100,000 in 1959 was not excessive; his Government had therefore been concerned to note that the Advisory Committee on Administrative and Budgetary Questions had recommended a reduced appropriation of \$80,000. If \$80,000 was not sufficient to cover the cost of the three seminars in 1959, his delegation would be prepared to support a recommendation that they should nevertheless be held in 1959 and would endeavour in the Fifth Committee, in association with other delegations, to ensure that the necessary budget appropriation should be secured. The success of the programme of advisory services had been most encouraging. He hoped that the countries which had been its original sponsors would show their continuing interest in it by supporting the Secretary-General's recommended appropriation of \$100,000. Without adequate funds, the programme would be unable to meet the growing demands upon it.

7. He supported the joint draft resolution (A/C.3/L.672).

8. Sir Humphrey TREVELYAN (Under-Secretary for Special Political Affairs) said that, to the best of his knowledge, \$80,000 would not be sufficient to defray the cost of three seminars.

<sup>2/</sup> Ibid.

<sup>1/</sup> Official Records of the Economic and Social Council, Twenty-sixth Session, Annexes, agenda item 12, document E/3075 and Add.1.

9. Miss BERNARDINO (Dominican Republic) said that her delegation had been happy to co-sponsor the joint draft resolution. The three seminars organized since the adoption of General Assembly resolution 926 (X) had been most fruitful. She expressed the hope that the General Assembly would not approve the reduction in the proposed appropriation of \$100,000 for advisory services recommended by the Advisory Committee. The appropriation must be maintained if the programme of seminars was to be carried out satisfactorily.

10. Miss FUJITA (Japan) welcomed the success achieved at the three seminars held in 1957 and 1958. Her country had participated in the Bangkok seminar, which had been given considerable publicity in Japan.

11. Her delegation hoped that as many seminars as possible would be organized on the status of women, and welcomed the emphasis placed on seminars by the Commission on Human Rights, the Commission on the Status of Women and the Economic and Social Council. She hoped that adequate funds would be found to hold all three of the proposed seminars in 1959.

12. Although seminars would certainly remain the most important activity under the programme for the time being, the importance of expert advisory services, fellowships and scholarships should not be ignored; indeed, the latter might be used to continue the work of the seminars. For instance, the Japanese Government, as a result of experience gained at the Bangkok seminar, had requested United Nations help in training women for leadership. The availability of fellowships and expert advisory services should be more widely known.

13. Mrs. LORD (United States of America) was happy to note the practical results achieved by the programme of advisory services in the field of human rights. The demand for seminars was growing. The Bangkok seminar had been highly successful, not only in introducing the participants to new ideas but in bringing the non-governmental organizations into closer contact with the programme. Equally fruitful results had been achieved from the Baguio City and Santiago seminars. She hoped that the Committee would be given some information on the report on the Costa Rican elections which had been drawn up under the advisory services programme, and that there would be other requests of the same kind.

14. The three seminars planned for 1959 should be most effective, and she hoped that adequate funds would be available for their organization. The Commission on Human Rights had pointed out in the resolution on advisory services adopted at its 600th meeting<sup>3/</sup> that an increase in the funds allocated for the programme of advisory services in the field of human rights was needed in order to meet the interest and requests from the Governments of Member States. Her delegation would support the budgetary appropriation proposed by the Secretary-General.

15. She was grateful to all the United Nations bodies which had supported and co-operated in the programme of advisory services and hoped that such co-operation would continue and expand.

16. Mrs. de LOPEZ (Colombia) said that her delegation had been happy to co-sponsor the draft resolution before the Committee (A/C.3/L.672), considering

advisory services to be among the most fruitful United Nations activities in the field of human rights. What had already been accomplished through such services was clear from chapter VII, section X, of the report of the Economic and Social Council (A/3848). In Colombia, women were eager to participate in public life, but required instruction and guidance; the proposed 1959 seminar on the participation of women in public life would therefore arouse great interest. She hoped that it would be equally useful to the other Latin American countries.

17. In view of the fact that each seminar would cost about \$30,000, it was most regrettable that the Advisory Committee had seen fit to recommend a reduction of the Secretary-General's proposed appropriation to \$80,000. As all three of the seminars planned for 1959 should be extremely useful, it was to be hoped that the Third Committee and the Fifth Committee would recommend to the General Assembly that the Secretary-General's original figure of \$100,000 should be approved.

18. Mrs. MURAVEV (Union of Soviet Socialist Republics) said that the Soviet Union attached great importance to advisory services, believing that international exchanges of experience could be of great help in promoting the purposes of the Charter with respect to human rights. Moreover, advisory services could foster international contacts and improve understanding among peoples. Accordingly, the USSR had voted in favour of General Assembly resolution 926 (X), and had immediately informed the Secretary-General of its willingness to send its experts to other countries and to help the programme in other ways. It had also been the first country to hold an international seminar on women's rights. The seminar had been attended by representatives from thirty-eight countries and many international organizations. All costs connected with the organization of the seminar had been borne by the Soviet Government; it had been the first venture of its kind, and it had been eminently successful. And although the seminar held in Moscow was not designated as having been conducted with the participation of the United Nations Secretariat, it had in essence been a first act in the realization of the programme of advisory services in the field of human rights formulated in General Assembly resolution 926 (X).

19. Under operative paragraph 2 of resolution 926 (X), the forms of assistance recommended were advisory services of experts, fellowships and scholarships, and seminars. So far, however, the programme had been carried on mainly by means of seminars; little attention seemed to have been paid to sending out experts and granting fellowships and scholarships. It was true that the Bangkok seminar of 1957 on the civic responsibilities and increased participation of Asian women in public life had been successful; however, the 1958 seminars at Baguio City and Santiago de Chile on the protection of human rights in criminal law and procedure had been concerned with a narrowly specialized subject. In the coming year of 1959, the United Nations Secretariat was planning to hold three further regional seminars. The Soviet delegation felt compelled to comment on the topics of the seminars and the range of participation in them. The Soviet delegation was certainly not opposed to the discussion of important legal problems at the seminars; but it

<sup>3/</sup> Ibid., Twenty-sixth Session, Supplement No. 8, para. 179.

considered that in the choice of topics due place should be given to problems of human rights in the social and economic fields, which were particularly urgent in the case of peoples who had long been under the colonial yoke. Although the Soviet delegation was not against holding regional seminars, it considered that it would be preferable to hold seminars on a truly international basis on subjects of wider common interest, particularly those referred to in the General Assembly resolution, namely, women's rights, discrimination, protection of minorities and freedom of information. From the financial point of view also, it would be more advantageous to hold fewer but more widely representative seminars. Moreover, national participation in regional seminars seemed to be artificially determined: thus, representatives from the USSR had not been able to attend the Bangkok seminar, although a large part of the USSR territory was situated in Asia.

20. The USSR delegation hoped that those and other shortcomings of the programme would be eliminated in the future. However, the joint draft resolution held out little promise of improvement, since it merely sanctioned existing procedures and failed to draw attention to the narrow scope of the seminars already held and of those planned for 1959. That policy would not help to advance the Third Committee's objectives, and it confirmed the practice of depriving large areas of the world of the opportunity to participate in programmes which would be of great assistance to them. Accordingly, her delegation could not support the joint draft resolution.

21. Mr. BEAUFORT (Netherlands) observed that the work done under the programme of advisory services, although still modest in scope, met a real need and had already proved useful. His delegation maintained its support of regional seminars, for it was easier for representatives from the same region to understand each other's problems and to exchange experience. The system offered a useful compromise between national seminars, which were too narrow in scope, and international seminars, in which it would be difficult for participants to find enough common ground for fruitful discussion. His delegation would vote in favour of the joint draft resolution, and hoped that the appropriation recommended by the Secretary-General would be retained; the Netherlands representative in the Fifth Committee would vote for that figure.

22. Mr. KARAPANDZA (Yugoslavia) observed that while considerable advances had been made in the organization of seminars, other forms of advisory services still seemed to be at the experimental stage.

23. It was to be hoped that the Baguio City and Santiago seminars on the protection of human rights in criminal law and procedure would influence the countries of the regions concerned to standardize their practices in that important field and that the Bangkok seminar on the civic responsibilities and increased participation of Asian women in public life, with the seminars to be held in the future on the status of women, would serve as a further stimulus to improving the position of women throughout the world. The exchange of experience which seminars made possible would help to propagate and implement the ideas of the Universal Declaration of Human Rights;

he would therefore vote in favour of the joint draft resolution.

24. However, he agreed that international seminars should be held on subjects of more universal concern for which the regional framework was too narrow. In addition, his delegation felt that more emphasis should be given to the other forms of services mentioned in General Assembly resolution 926 (X).

25. Miss HAMPTON (New Zealand) said that her delegation had voted for General Assembly resolution 926 (X) with some hesitation, since there had been no real way of gauging the degree of interest that Governments would show. However, her country's experience of the Baguio City seminar, which had been attended by the Solicitor-General of New Zealand, had gone far to dispel its doubts; it seemed obvious that such exchanges of experience could be most valuable, particularly at regional seminars, which permitted full participation by all representatives and detailed discussion, which would be impossible at larger gatherings. With regard to the wider use of fellowships and scholarships, she pointed out that those services were available on request.

26. In the light of the Under-Secretary's statement that the revised appropriation recommended by the Advisory Committee would be insufficient for the three seminars to be held in 1959, she suggested that the Third Committee might recommend the Fifth Committee to restore the Secretary-General's original figure. In any case, her delegation would support the joint draft resolution.

27. Mrs. DUTTA (India) said that the current discussion offered an opportunity to evaluate the projects already undertaken and to consider the future orientation of the programme. The three seminars held had been outstandingly successful; her country had sent representatives to the Baguio City and Bangkok seminars and could speak from personal experience, while other representatives had testified to the value of the Santiago seminar. Her delegation was sure that other forms of assistance would be given due consideration at the appropriate time.

28. With regard to future work, the Indian delegation believed that the General Assembly should endorse the Council's recommendations for holding three seminars in 1959, while bearing in mind the possibility of holding an international seminar on a wider range of subjects. Of course, the programme was in no way intended to encroach on the province of the draft International Covenants on Human Rights; indeed, assistance under the programme might subsequently be replaced by the implementation procedure of those instruments.

29. Since the joint draft resolution broadly coincided with her delegation's views, she would vote in favour of it.

30. Mr. ALDUNATE (Chile) said he would vote in favour of the joint draft resolution. His country had had the privilege of acting as host to the seminar on the protection of human rights in criminal law and procedure held in May 1958; a most impressive aspect of that seminar, the success of which had exceeded all expectations, had been the keen interest it had aroused among the public. He paid a tribute to the co-operation that the Chilean Government had received from the Economic Commission for Latin America, the Technical Assistance Administration and the United Nations Secretariat.

31. Miss HORNSBY-SMITH (United Kingdom) expressed support of the general purposes of the joint draft resolution. Her delegation had originally had some reservations concerning the holding of seminars on human rights, but its attitude had been modified by the success of the three seminars that had already been held. She agreed with the Netherlands representative that regional seminars were most useful, because of the opportunity they offered for discussing common problems in full detail. Moreover, the forum for matters of universal concern was the General Assembly and it would be redundant to discuss elsewhere subjects with which the Third Committee itself would shortly be dealing in connexion with the draft International Covenants on Human Rights. Regional seminars and related programmes were a valuable adjunct to the General Assembly's work on human rights; but they could not be regarded as a substitute for it.

32. The Secretary-General had rightly drawn attention to the need for the careful evaluation of completed projects and for the over-all planning of future programmes. It was particularly important to co-ordinate advisory services with the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on the Status of Women.

33. Her delegation wished to reserve its position on the financial aspect pending discussion of the matter in the Fifth Committee. While it was in favour of some expansion of the programme, it was not sure that the expansion should be on the scale recommended by the Secretary-General. The United Kingdom delegation had suggested in the past that participating Governments might contribute to the cost of seminars by paying the travel costs of representatives. Since it seemed rather unlikely that the plan could be carried out at much less cost than that suggested by the Secretary-General, her delegation could not support the recommendation at the end of operative paragraph 2 of the joint draft, and asked for a separate vote on the words "and recommends that three seminars be held in 1959". That reservation, however, in no way affected her delegation's support for the continuance of the programmes.

34. Mrs. HAYDEN (Canada) remarked that while the first seminar held at Geneva under the advisory services programme had perhaps been somewhat disappointing, the succeeding seminars had been of great value. She took a particular interest in the seminars on the participation of women in public life, since women tended to devote all their energies to family life, and should be encouraged also to participate in public affairs. The other two types of advisory services—the provision of experts and of scholarships and fellowships—could also be of great help to Governments.

35. She supported the joint draft resolution, but reserved her delegation's position on the holding of three seminars; the financial implications of that point must be examined by the Fifth Committee.

36. Mr. COX (Peru) whole-heartedly supported the joint draft resolution, and hoped that it would meet with unanimous approval both in the Third Committee and in the Fifth Committee, since it would be of direct service in promoting one of the purposes of the United Nations.

37. Mr. BOUQUIN (France) noted that Governments had not made use of the existing possibilities in regard to experts and scholarships and fellowships. Nevertheless, the advisory services programme as a whole had been very useful, owing mainly to the success of the various seminars. In the future, he hoped that Europe would not be left entirely out of the seminar programme; his Government had already made suggestions in that regard which it was prepared to renew. He hoped also that, as in the past, some connexion would be kept between the subjects chosen for the seminars and the current work of the Commission on Human Rights.

38. He was prepared to support the joint draft resolution, but he felt that the seminar proposed by Argentina, which he strongly supported, should of course be held only if the necessary funds were available. He therefore reserved his delegation's position on that point in the Fifth Committee.

39. Mr. MAHMUD (Ceylon) said that his country had participated in two of the seminars already held, and hoped to be host to another in 1959. It had found the seminars extremely useful as a forum for the exchange of information and ideas, but believed that further steps should be taken to ensure that those ideas should subsequently be transmitted to the appropriate government services. One way to achieve that purpose would be to set up permanent regional institutes concerned with human rights, like the regional institutes on the prevention of crime and treatment of offenders which were being set up under United Nations auspices in Pakistan and Brazil.

40. He could not agree with the USSR representative's criticism. While it was true that only a narrow range of subjects had so far been covered, the seminars had undeniably served a useful purpose. He strongly objected to the proposed reduction of funds for the programme, which would make it impossible for three seminars to be held in 1959.

41. Mr. TELSON (Haiti) said that his delegation was co-sponsoring the joint draft resolution in the firm conviction that seminars on human rights would not only help to solve some national problems but would promote respect for human rights throughout the world.

42. Mr. ELMANDJRA (Morocco) expressed strong approval of the programme of regional seminars; he hoped that in the near future a seminar would be held in Africa—though that would of course necessitate the co-operation of certain countries outside that continent.

43. He supported the joint draft resolution, but suggested that operative paragraph 2 should be completed by adding the words, "keeping in mind the possibility of organizing in the future an international seminar on a subject of universal interest"; it would then include a point touched on in Economic and Social Council resolution 684 (XXVI), which was mentioned in the preamble to the joint draft resolution.

44. Mr. HU (China) said that recent as the programme of advisory services in the field of human rights was, it had been highly successful and had gained wide support throughout the world. It was unfortunately subject to two limitations: Governments appeared to be reluctant to ask for fellowships and expert advice because to do so might be regarded as a confession

that human rights were not duly respected in their countries; and the available funds were not adequate. He therefore strongly supported the Secretary-General's recommendation of an appropriation of \$100,000 for the programme for 1959, as a first step towards further expansion.

45. He supported the joint draft resolution.

46. Miss ADDISON (Ghana) also supported the draft resolution, and expressed the hope that all three seminars mentioned in it would be held in 1959. During the initial stages of the programme regional seminars would be preferable to international seminars. She hoped that a regional seminar would be held in Africa in the near future.

47. Mrs. LEFLEROVA (Czechoslovakia) remarked that the seminars held so far had dealt mainly with legal questions; it was to be hoped that future seminars would concern themselves rather with social and economic matters.

48. It was unsatisfactory that the only seminars held so far had been regional ones. They should be supplemented by international seminars, which would help to develop international co-operation and would improve understanding among nations. Moreover, regional seminars should also be attended by interested delegations from other regions, for some of the questions discussed were of concern to more than one

region and the visiting delegations might have useful experience to contribute.

49. The joint draft resolution failed to correct the shortcomings of the past programme, and she was therefore unable to support it.

50. Mrs. de ARENAS (Guatemala) whole-heartedly supported the joint draft resolution. She trusted that it would be approved by both the Third Committee and the Fifth Committee, and that the three seminars it called for would be entirely successful.

51. Mr. HARREMOES (Denmark) also supported the draft resolution. However, he had been impressed by the United Kingdom representative's comments on the financial implications, and he therefore proposed the insertion of the words "if possible" in operative paragraph 2, between the words "that" and "three seminars".

52. Miss BERNARDINO (Dominican Republic) said that economic and social subjects were inextricably linked, and were therefore of equal importance. The Third Committee should not give greater weight to economic matters than to the social questions which were its province, and should not try to anticipate the reactions of the Fifth Committee. It should concentrate on its own work.

The meeting rose at 1 p.m.