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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS INCLUDING THE QUESTION OF A LONG-TERM PROGRAMME OF WORK OF THE COMMISSION

Analysis of further replies of Member States
prepared by the Secretary-General in accordance with
Commission resolution 10 (XXXI)

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INTRODUCTION

1. In resolution 10 (XXXI) entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission" adopted at its 1330th meeting, on 5 March 1975, the Commission on Human Rights, recalling its resolution 10 (XXX), as well as Economic and Social Council resolution 1694 (LII), requested the Secretary-General to invite Member States which had not yet done so to send their views or suggestions concerning the long-term programme of work of the Commission.
2. In paragraph 2 of that resolution, the Secretary-General was requested to submit to the Commission at its thirty-second session an analysis of further replies received from Member States.
3. Accordingly, in a note verbale dated 15 June 1975 the Secretary-General invited Member States to communicate their proposals and views on the matter by 1 October 1975 in order to enable him to prepare the requested analysis for submission to the Commission at its thirty-second session. In a reminder note dated 7 November 1975, those Member States which had not submitted their views or suggestions by that date, were invited to submit them by 1 January 1976.
4. By 26 January 1976 replies containing such proposals and views had been received from the following six countries: Cameroon, Canada, German Democratic Republic, Greece, Israel, and Turkey. One country, the Republic of Botswana replied that it had no views or suggestions to submit. The replies of Governments contain views and suggestions concerning the work of the Commission and general comments regarding the implementation of human rights on a long-term basis. In the present document, therefore, prepared as requested in Commission resolution 10 (XXXI), the replies of Governments are analysed and presented under the following headings:

- (I) General Observations;
- (II) Suggestions of a functional or procedural nature;
- (III) Subjects suggested for the programme of work of the Commission.

I. GENERAL OBSERVATIONS

5. The Government of Cameroon considers that the Commission should attach more importance to the world-wide promotion and protection of human rights, taking particular account of the interests of developing countries.
6. Canada expresses the view that the objectives of the Commission should not be diverted by an over-emphasis on political considerations. Now that normative process is well advanced, what is needed, in the opinion of Canada, is a major effort to devise machinery for the implementation of international instruments. Canada also suggests that States Members which are members of the Commission on Human Rights should appoint representatives who are both qualified and interested in human rights matters.
7. The German Democratic Republic states that special attention should be paid to those measures which contribute to strengthening world peace and international security as well as respect for the sovereignty of States, thus creating

favourable conditions for the international protection of human rights and support for the struggle against flagrant and massive violations of human rights caused by aggression, oppression of national liberation movements, colonialism, neo-colonialism, racism, apartheid and other forms of suppression and exploitation.

8. Greece attaches great importance to the work of the Commission in elaborating international instruments and in examining concrete situations of human rights violations. As to the methods to be applied, it is the view of Greece that while the Commission should as a general rule endeavour to assist States concerned to overcome obstacles impeding respect for human rights, it should not hesitate to condemn those who are guilty of gross violations of human rights in cases where it is obvious that the will to respect those rights does not exist.

9. The Government of Turkey expresses the view that since human rights standards have now been determined and largely codified, the time has come to implement those standards. Attention should also be given to information and education activities that would enable people to learn the basic human rights and freedoms to which they are entitled. The Government of Turkey further believes that human rights questions could not be considered as totally independent problems, but should be studied in conjunction with the prevailing economic and social conditions, in given situations. The solution to many problems, Turkey states, depends on achievements in the economic and social fields, as a result of which developing countries may really benefit from human rights and fundamental freedoms.

II. SUGGESTIONS OF A FUNCTIONAL OR PROCEDURAL NATURE

10. The Government of Cameroon feels that the Commission on Human Rights should not have too rigid an agenda, preventing it from examining questions of actual urgency. The Commission should not deal with matters outside its field of competence and should also avoid a multiplication of meetings and working groups. The Commission on the other hand should consider the organization of regional conferences and the creation of regional commissions in order to deal with human rights problems in an appropriate social and historical context.

11. Canada feels that the system of periodic reporting could be improved, and draws attention in this regard to the reporting systems of the ILO and the Committee on the Elimination of Racial Discrimination which it considers more effective. As regards the communications procedure established by Economic and Social Council resolution 1503 (XLVIII), it is the view of Canada that the Commission should take steps to overcome the inherent difficulty of communications being examined by the representatives of States against which allegations are made, and also that, in certain cases, the examination should be made in public meetings. Moreover, the Commission should be able to meet on an urgent basis to examine emergency situations of violations of human rights and for periods necessary to complete its work. The Canadian Government further recommends that two sub-commissions be established, both composed of independent experts elected by the Commission from a list drawn up by the Secretary-General from suggestions made by member states of the United Nations and by non-governmental organizations in consultative status. One of such sub-commissions could deal with such matters as the elaboration of new instruments, the continuing revision of existing instruments, studies, and the examination of periodic reports. The other could deal with implementation aspects

of the Commission's work, including the examination of communications concerning violations of human rights and enquiries into emergency human rights matters.

III. SUBJECTS SUGGESTED FOR THE PROGRAMME OF WORK OF THE COMMISSION

12. Cameroon suggests that the Commission should continue to include in its long-term programme the following questions: violations of human rights and fundamental freedoms resulting from policies of racial discrimination and apartheid; the struggle against racism and racial discrimination; the right of peoples to self-determination; the enjoyment of civil, political, economic, social and cultural rights; measures designed to promote labour relations in the developing countries; the role of youth in the promotion and protection of human rights; and measures designed to protect human rights in the administration of justice and penitentiaries.

13. The German Democratic Republic, in its reply, states that the Commission should deal with the following concrete issues: the right of every man to live under conditions of peace and international security; legal guarantees and international measures to realize the economic, social and cultural rights of man; the right of peoples and of every man to live free from colonialist, neo-colonialist and racist exploitation and suppression; the negative effects on the implementation of human rights by the activities of transnational corporations; guarantees for the rights and the freedom of professional organizations of the working people.

14. Greece expresses the wish that the Commission study more in depth the systematic violations of human rights resulting from armed conflict and aggression.

15. Israel proposes that the Commission should pay attention to the following specific questions: appropriate ways of appointing or choosing judges in order to ensure the independence of the judiciary; professional ethics amongst lawyers, doctors, journalists, etc. and the obligation to testify in criminal trials; newspaper censorship in peace-time and in emergencies; a multi-party system as a condition for true democracy; national procedures for the protection of human rights (appeals to the Supreme Court, courts for constitutional matters, etc.); libel as a limitation of the freedom of speech; citizens' rights and the lack of citizenship (statelessness); extradition and the freedom of political asylum; freedom of property and the right of inheritance; freedom to strike and compulsory arbitration.