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COMMISSION ON HUMAN RIGHTS
Thirty-first session

ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Election of officers

Rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council provides that each year, at the commencement of its first meeting, the Commission shall elect a chairman and one or more vice-chairmen, and other officers, from among its members.

2. Adoption of the Agenda

Rule 9 of the rules of procedure provides that, except for the election of the officers, the first item on the provisional agenda of any session shall be the adoption of the agenda. The Commission will have before it the provisional agenda prepared by the Secretary-General (E/CN.4/1170) in accordance with rule 5 of the rules of procedure and the annotations (E/CN.4/1170/Add.1) relating to items included in the provisional agenda.

3. Organization of the work of the session (Economic and Social Council Resolution 1694 (LII) and Commission resolution 2 (XXV))

The Commission may wish to examine under this item various matters relating to the organization of the session, bearing in mind its resolution 2 (XXV) and Economic and Social Council resolution 1694 (LII) of 2 June 1972. In the latter resolution, the Council, *inter alia*, urged the Commission to allocate sufficient time for adequate consideration of the reports of its Sub-Commission and of its working groups, and to avoid, where possible, repetitious consideration of matters dealt with in detail by the Sub-Commission. The Council also requested the Commission to pay due attention in the organization of its work, to the limitations of time and its heavy agenda, and, if necessary, to resort to means such as grouping of items, postponement of items at the beginning of its sessions, informal consultations on draft resolutions and establishment of working groups. The Commission may also wish, in accordance with the provisions of its resolution 2 (XXV), to request its officers to meet from time to time during the session to review the progress of the work and to submit suggestions regarding the mode of discussion and the duration of the debates.

It may be noted that the Council decided on 18 May 1973 that subsidiary bodies of the Council, with the exception of the regional economic commissions, may not

create either standing or ad hoc intersessional subsidiary bodies without prior approval by the Council. It may also be noted that the Council decided on 28 July 1972 that preambular paragraphs of resolutions should be concise and should not be too numerous, that action should be taken by decision rather than by the adoption of a resolution, whenever that procedure might expedite work. Further, according to Council resolution 1623 (LI) of 30 July 1971, all resolutions adopted by the functional commissions and subsidiary bodies should normally be in the form of drafts for approval by the Council. As regards Council resolution 1894 (LVII) of 1 August 1974 concerning submission by the Secretary-General to the Commission of a draft provisional agenda for its following session, together with an indication of documentation relating thereto, attention is drawn to the annotations under item 21 below.

4. Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East (Commission resolution 1 (XXX))

The Commission decided, in its resolution 1 (XXX), to place this item on the provisional agenda of its thirty-first session, as a matter of high priority.

The Commission will have before it documents requested by member states of the United Nations to be brought to the attention of the Commission in connexion with this item which are listed in document E/CN.4/1161 and addenda.

5. Draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief. (General Assembly resolutions 3069 (XXVIII) and Commission decision 2 of 5 March 1974)

In decision 2 of 5 March 1974, the Commission decided to inform the General Assembly, through the Economic and Social Council, that the Commission intended to give the elaboration of the declaration priority at its thirty-first session.

The draft of a declaration prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and a number of articles of a draft declaration prepared by a Working Group of the Commission on Human Rights, together with other relevant texts and references to documents, are set out in a note by the Secretary-General (E/CN.4/1145). Comments and suggestions of Governments, received under General Assembly resolution 3069 (XXVIII) are contained in documents E/CN.4/1146 and Add. 1 to 3, and A/C.3/SR 2006 and 2009 to 2014. The work accomplished by the informal working group at the thirtieth session of the Commission on Human Rights, is set out in E/5464, paragraph 57.

By resolution 3267 (XXIX) of 10 December 1974 the General Assembly requested the Secretary-General to transmit to the Commission all the opinions expressed and suggestions put forward in the course of the discussion of this question in the Assembly which are set out in documents A/C.3/SR 2091 to 2096, A/PV/2311 and A/9893. The Assembly requested the Commission to submit, through the Council, to the Assembly at its thirtieth session a single draft declaration on the elimination of all forms of intolerance and of discrimination on religion or belief. The Assembly also decided to include the item on the provisional agenda of its thirtieth session with a view to assessing progress on the elaboration of a Declaration and to considering, completing and adopting, if possible, the Declaration, provided that a single draft was completed by the Commission.

6. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid in all countries, with particular reference to colonial and other dependent countries and territories, including:

- (a) Study of situations which reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): Report of the Ad Hoc Working Group on Communications (Commission decision 3 of 6 March 1974 and Economic and Social Council decision 15 (LVI)).
- (b) Report of the Ad Hoc Working Group of Experts (Commission resolution 19 (XXIX) and Economic and Social Council resolution 1869 (LVI)).

With regard to the item as a whole, the Commission will have before it the ninth annual supplement to document E/4226 (E/CN.4/923/Add.8), listing decisions taken by United Nations bodies during 1974 relevant to the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories.

Information that may be submitted by the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), in accordance with General Assembly resolution 2785 (XXVI) of 6 December 1971, in which the Assembly asked them to provide annually to the Commission reports on the nature and effect of any racial discrimination of whose existence they had knowledge in their sphere of competence, will be submitted to the Commission in a note by the Secretary General (E/CN.4/1162) and may be relevant to this item.

The Commission will also have before it, in accordance with the Economic and Social Council resolution 1591 (L) and General Assembly resolution 2785 (XXVI), information from non-governmental organizations in consultative status relating to their endeavours and progress in the struggle against racism, apartheid and racial discrimination in all its forms, as may have been received.

Further, attention is drawn to General Assembly resolution 3222 (XXIX) of 6 November 1974 entitled "Human Rights and fundamental freedoms" and to documents A/9829, the relevant report of the Third Committee to the General Assembly and A/C.3/SR 2068 to 2070 which the Secretary-General was to transmit to the Commission.

The Permanent Representative of Cyprus in a letter dated 18 September 1974 submitted to the Chairman of the Commission a complaint for the consideration of the members of the Commission. The text of this complaint is set out in document A/9764.

In decision 3 of 6 March 1974, the Commission decided to examine sub-item (a) as a matter of priority at its thirty-first session.

Chapters 8 and 9 of the Report of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, on its twenty-seventh session, as well as its confidential report in document E/CN.4/R/6 and addenda, are relevant to this sub-item.

The Commission will recall that, at its thirtieth session, in decision 3 of 6 March 1974, after considering the confidential resolution adopted by the Sub-Commission at the 686th meeting of its twenty-sixth session, it decided to refer the relevant documents to governments concerned, requesting them to send their observations to the Commission not later than 1 December 1974. The Commission also decided to establish a Working Group composed of five of its members, to meet one week before its thirty-first session to examine the documents transmitted by this confidential resolution of the Sub-Commission, together with the observations of the governments mentioned above, as well as any further report that the Sub-Commission might submit. Further, the Sub-Commission was requested after it decides to refer to the Commission particular situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights, to invite the governments concerned to make their written observations in order to enable the Commission to take them into account in the examination of the situations. The Commission will have before it the relevant documents, which being of a confidential nature, will be distributed to each member of the Commission individually.

As regards sub-item (b) in paragraph 16 of its resolution 19 (XXIX), the Commission requested the Ad Hoc Working Group to submit a report on its findings to the Commission not later than at the Commission's thirty-first session.

In paragraph 1 of resolution 1868 (LVI), the Economic and Social Council requested the Working Group to remain active and vigilant at all times and to report to the Commission, at its thirty-first session, on any events constituting serious violations of human rights and requiring urgent investigation that may occur in South Africa, Namibia, Southern Rhodesia or Territories under Portuguese domination.

The report of the Working Group will be circulated in document E/CN.4/1163.

7. Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment (resolution 8 (XXVII) of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities and General Assembly resolution 3219 (XXIX)).

In paragraph 2 of its resolution 8 (XXVII), adopted on 21 August 1974, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, recommended that the Commission on Human Rights, "at its thirty-first session, study the reported violations of human rights in Chile, with particular reference to torture, and other cruel, inhuman or degrading treatment or punishment".

In the same resolution, the Sub-Commission requested the specialized agencies, other inter-governmental organizations, as well as non-governmental organizations in consultative status concerned, to submit to the Secretary-General, for reference to the Commission, recent and reliable information on torture and other cruel, inhuman or degrading treatment or punishment in Chile. Any information received will be distributed to the Commission in document E/CN.4/1166.

The Secretary-General was also requested by the Sub-Commission to bring its resolution to the attention of the Chilean authorities. Further discussion on the resolution of the Sub-Commission may be found in Chapter III of the report of the Sub-Commission on its twenty-seventh session (E/CN.4/1160).

A letter, dated 21 August 1974, from the Chargé d'Affaires A.I. of the Permanent Mission of Chile to the United Nations, addressed to the Secretary-General, was circulated in document E/CN.4/1158.

Attention of the Commission is drawn to General Assembly resolution 3219 (XXIX) of 6 November 1974 entitled "Protection of human rights in Chile", which refers to previous actions by United Nations bodies and specialized agencies and endorses the recommendation of the Sub Commission in its resolution 8 (XVII) to the Commission. The resolution also requested the President of the Assembly and the Secretary-General to assist in any way they might deem appropriate in the re-establishment of basic human rights and fundamental freedoms in Chile in the light of paragraph 3 of the resolution. In paragraph 3 the General Assembly urged the Chilean authorities to respect fully the principles of the Universal Declaration of Human Rights and to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms, particularly those involving a threat to human life and liberty, to release all persons who have been detained without charge or imprisoned solely for political reasons and to continue to grant safe conduct to those who desired it. The Secretary-General was requested further to submit a report to the Assembly at its thirtieth session on the action taken and progress obtained under this paragraph and the paragraphs relating to the Commission on Human Rights, the President of the General Assembly and the Secretary-General mentioned above.

8. The role of youth in the promotion and protection of human rights (Commission resolution 11 A (XXVIII)), including:

- (a) The question of conscientious objection to military service: report of the Secretary-General (Commission resolution 11 B (XXVII) and decision 9 of 7 March 1974);
- (b) Channels of communication with youth and international youth organizations: report of the first meeting of the Ad Hoc Advisory Group on Youth (Economic and Social Council resolution 1842 (LVI)).

By decision 9 of 7 March 1974, the Commission decided to postpone sub-item (a) to its thirty-first session, and to accord it priority consideration. The Commission will have before it a report by the Secretary-General (E/CN.4/1118 Add 1-3), prepared in accordance with Commission resolution 11 B (XXVII).

Sub-item (b) arises out of resolution 1842 (LVI) of the Economic and Social Council. The Council requested the Secretary-General to communicate the report of the first meeting of the Ad Hoc Advisory Group on Youth, with his own comments and recommendations, to the Commission for Social Development, the Commission on Human Rights, the Commission on the Status of Women, and the Population Commission, for their consideration, taking into account the discussions in the Council at its fifty-sixth session. The Council also recommended to the Commission on Human Rights, the Commission for Social Development and the Commission on the Status of Women, that international and regional meetings on specific issues and action programmes related to youth, especially on the participation of youth in the life of society, should be organized by the United Nations, and that youth participation at such meetings, should be assured. The report of the Ad Hoc Advisory Group on Youth is contained in document ESA/SDHA/AC.4/2 (E/CN.5/508). The comments and recommendations of the Secretary-General on the report are set forth in document E/5427, paragraphs 10(c) and 12(a). The Summary Records of the discussion in the Council are contained in documents E/AC.7/SR.732 to 737 and 739 and E/SR.1896.

9. Reports of the first, second and third sessions of the Committee on Crime Prevention and Control (Economic and Social Council resolution 1584 (L) and Commission decision 9 of 7 March 1974).

According to decision 9 of 7 March 1974, the Commission decided to postpone to its next session and to give priority to the consideration of this item. Since the decision of the Commission, the Committee has held its third session from 23 September to 4 October 1974.

It may be recalled that the Economic and Social Council established the Committee on Crime Prevention and Control and decided that it should report to the Commission for Social Development, and, as appropriate on particular aspects, to the Commission on Human Rights and the Commission on Narcotic Drugs. The report of the first session of the Committee, which was held from 8-16 May 1972, is contained in document E/5191. The report of the second session, which was held from 14-25 May 1973, is contained in document E/CN.5/494. The report of the third session is contained in document E/CN.5/516. The Commission's attention is drawn in particular to paragraphs 33-42 of the first report (E/5191), to paragraphs 37-40, 47-58, 62 and 65-66 of the second report (E/CN.5/494), and to relevant paragraphs of the third report (E/CN.5/516).

The Commission will recall that in accordance with Council resolution 1794 (LIV) the question of an international code of police ethics appearing in the provisional agenda of the Commission up to its twenty-ninth session was referred to the Committee on Crime Prevention and Control and the Commission was to consider it after recommendations by the Committee. In resolution 3218 (XXIX) of 16 November 1974 entitled "Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment", the Assembly requested the fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, taking into account the consideration given to the question by the Committee on Crime Prevention and Control, to give urgent attention to the question of the development of an international code of ethics for police and related law enforcement agencies.

10. Human rights and scientific and technological developments: report of the Secretary-General (General Assembly resolutions 2450 (XXIII), 2721 (XXV), 3026 B (XXVII) and 3268 (XXIX); Commission resolutions 10 (XXVII) and 2 (XXX)).

In paragraph 12 of its resolution 10 (XXVII), the Commission decided to retain the item on human rights and scientific and technological developments as a standing item on its agenda. In paragraph 5 of its resolution 2 (XXX), the Commission decided to continue the consideration of this item at future sessions with a view to taking further action on the matter.

At its thirtieth session, the Commission, in paragraph 2 of resolution 2 (XXX), requested the Secretary-General to bring to the attention of Governments, for preliminary study and possible comments, the studies already prepared in accordance with General Assembly resolution 2450 (XXIII) and Commission resolution 10 (XXVII) and those studies to be completed. In its paragraph 3, the resolution requested the Secretary-General to seek the views and observations of Governments and the specialized agencies concerned on the use to which science and technology can be put:

- (a) to strengthen international peace and security and the fundamental rights of peoples;
- (b) to promote and ensure general respect for the human rights proclaimed in the Universal Declaration of Human Rights and in the International Covenants on Human Rights;
- (c) through raising their standard of living, to facilitate and protect the enjoyment by all peoples of their right to employment, education, food, health and economic, social and cultural well-being. Paragraph 4 of the resolution requested the Secretary-General to submit to the Commission an analysis of the views and observations received under paragraphs 2 and 3 of the resolution, in order to enable it to consider possible guidelines on standards which could be included in appropriate international instruments.

Due to the small number of replies received so far to the requests made for the above-mentioned views and observations, the Secretary-General will not furnish an analysis to the Commission at its thirty-first session.

The Commission will have before it: (i) documents E/CN.4/1142 and Addenda 1 and 2, on uses of electronics which might affect the rights of the person and the limits which should be placed on such uses in a democratic society, prepared in accordance with General Assembly resolution 2450 (XXIII), paragraph 1 (c); (ii) document E/CN.4/1172 containing the greater part of the report, requested in paragraph 1 (b) of Assembly resolution 2450 (XXIII), on the protection of the human personality and its physical and intellectual integrity, in the light of advances in biology, medicine and biochemistry, and (iii) a report (E/CN.4/1173) by WHO on health aspects of human rights in the light of scientific and technological developments, prepared in accordance with General Assembly resolution 2450 (XXIII) and Commission resolution 10 (XXVII).

In paragraph 3 of its resolution 3268 (XXIX) of 10 December 1974, the General Assembly drew the attention of the Economic and Social Council and of the Commission to the importance of collecting qualified opinions in the study of such

problems as those described in paragraphs 1 and 2 of the resolution, 1/ particularly with regard to a code of ethics, and requested them to take the necessary measures for the implementation of the resolution in liaison, in particular, with the Committee on Science and Technology for Development and the Advisory Committee on the Application of Science and Technology to Development, which are invited to follow these problems as a whole at regular intervals. Paragraph 5 of the Assembly resolution requested the Commission to draw up a programme of work taking into account the reports of the Secretary-General, the replies of Governments 2/ and other relevant sources, with a view to undertaking in particular the formulation of standards in the areas which would appear to be sufficiently analysed, without prejudice to other activities carried out pursuant to earlier relevant resolutions specified in the resolution, and to transmit that programme to the Economic and Social Council at its sixtieth session. In connexion with the envisaged programme of work, the Commission will have before it a statement by the Secretary-General (E/CN.4/L.1287) on the documents which have been issued in connexion with the study of human rights and scientific and technological developments and on the work which is in progress or which remains to be undertaken under existing resolutions.

It may also be recalled that in paragraph 5 of resolution 3150 (XXVIII) of 14 December 1973, the General Assembly invited the Secretary-General, the ILO, UNESCO, WHO and other specialized agencies concerned to pay particular attention to the problem of the protection of broad sectors of the population against social and material inequalities, as well as other harmful effects which might arise from the use of scientific and technological developments, and requested the Secretary-General, in co-operation with the above-mentioned agencies to submit a report on this subject to the General Assembly at its thirtieth session.

1/ In paragraphs 1 and 2 of the resolution, the Assembly:

1. Considers, while acknowledging the indispensable role of science and technology for development, that it is necessary, on the one hand, to ensure that scientific and technological developments are not used in a manner contrary to the principles of international law and, on the other hand, to protect human rights and fundamental freedoms in situations of scientific and technological development, taking into account the political, economic and social context of the different countries considered;
2. Draws the attention of States to the advantages which may be derived from the elaboration and adoption, by the competent national authorities, of measures designed to adapt national legislation and practices, where appropriate, not only to take account of new technology but also to safeguard the fundamental rights of the individual and of groups or organizations in all sectors of social life, and invited Governments which already have experience in this field to transmit to the Secretary-General information available to them.

2/ The replies in question are those invited by paragraph 2 of the Assembly resolution, quoted in the previous footnote.

11. Question of international legal protection of human rights of individuals who are not citizens of the country in which they live (Economic and Social Council resolution 1790 (LIV) and 1871 (LVI)).

On the recommendation of the Commission, the Council adopted resolution 1871 (LVI) on 17 May 1974, in which it requested the Sub-Commission to consider as a matter of high priority at its twenty-seventh session the implementation of paragraph 1 of Council resolution 1790 (LIV), and to submit appropriate recommendations to the Commission on Human Rights at its thirty-first session. The Council also decided to consider the item at its fifty-eighth session in 1975.

The attention of the Commission is drawn to resolution 10 (XXVII) of the Sub-Commission and to Chapter VI of the Report on its twenty-seventh session (E/CN.4/1160), where the actions taken by the Sub-Commission and the discussion thereon are set forth. According to the terms of resolution 10 (XXVII) of the Sub-Commission, the Sub-Commission intends to pursue the discussion of the question further at its twenty-eighth session and has not made any recommendations to the Commission.

12. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twenty-seventh session

The report of the Sub-Commission on its twenty-seventh session will be before the Commission in documents E/CN.4/1160 and E/CN.4/R6. The report of the Sub-Commission in document E/CN.4/R2, which is a confidential document, has been referred to under item 6 (a) above.

The report of the Sub-Commission in document E/CN.4/1160 contains 11 resolutions and a decision (Chapter XIX) as well as a text agreed by it concerning its method of work (Chapter II). The following resolutions do not suggest any specific action by the Commission on Human Rights:

Resolution 1 (XXVII) on the study of the rights of persons belonging to ethnic, religious and linguistic minorities.

Resolution 2 (XXVII) on the adverse consequences for the enjoyment of human rights, of political, military, economic and other forms of assistance given to colonial and racist regimes in Southern Africa; the Commission in its resolution 3 (XXX) decided to consider this topic as a matter of priority at its thirty-second session.

Resolution 3 (XXVII) on the historical and cultural development of the rights of self-determination on the basis of the Charter of the United Nations and other instruments adopted by the United Nations and other instruments adopted by the United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms.

Resolution 4 (XXVII) on the implementation of United Nations resolutions relating to the rights of peoples under colonial and alien domination to self-determination.

Resolution 5 (XXVII) on the exploitation of labour through illicit and clandestine trafficking. In resolution 3224 (XXIX) of 6 November 1974 entitled "Measures to improve the situation of migrant workers", the General Assembly noted with satisfaction that the Sub-Commission had decided to continue and complete the study on the exploitation of labour through illicit and clandestine trafficking (E/CN.4/Sub 2/351 and Add 1 and E/CN.4/Sub 2/352), requested States which had not yet done so to provide the fullest possible information to the Special Rapporteur of the Sub-Commission, and requested the Secretary-General to inform the Assembly in due course of the contents of the complete study.

Resolution 6 (XXVII) on the study of the problem of discrimination against indigenous peoples.

As regards resolution 7 (XXVII) of the Sub-Commission, the Commission's attention is drawn to the decision of the Sub-Commission in paragraph 1 of its resolution to review annually developments in the field of human rights of persons subjected to any form of detention or imprisonment. In reviewing those developments, the Sub-Commission is to take into account any reliably attested information from governments, the **specialized agencies, the regional intergovernmental organizations** and the non-governmental organizations in consultative status with the Economic and Social Council concerned, provided that such non-governmental organizations act in good faith and that their information is not politically motivated, contrary to the principles of the Charter of the United Nations. Such information is to be transmitted to the Sub-Commission by the Secretary-General. Attention is also drawn to General Assembly resolution 3218 (XXIX) of 6 November 1974 entitled "Torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment", in which the Assembly, noting with appreciation the decision of the Sub-Commission to review annually the developments in this field of human rights of persons subjected to any form of detention or imprisonment, asked for information and a number of actions to be taken on the subject by Member States and specialized agencies as well as the fifth United Nations Congress on Prevention of Crime and Treatment of Offenders to be held in September 1975, and requested the Secretary-General to prepare an analytical summary of information to be furnished by Member States under the resolution and to submit it to the Congress, the General Assembly, the Commission and the Sub-Commission. The Commission may wish to bear in mind the resolution of the Sub-Commission and the General Assembly when it considers item 16 concerning the study, prepared by a committee of the Commission, on the right of everyone to be free from arbitrary arrest, detention and exile.

Resolution 9 (XXVII) on the individual's duties to the community and the limitations on human rights and freedoms under Article 29 of the Universal Declaration of Human Rights.

Resolution 11 (XXVII) on the question of slavery and the slave trade in all their practices and manifestation, including the slavery-like practices of apartheid and colonialism.

Decision of 21 August 1974, concerning the study of the question of the prevention and punishment of the crime of genocide.

Resolution 8 (XXVII) of the Sub-Commission, entitled "The question of the human rights of persons subjected to any form of detention or imprisonment", recommended the inclusion of an item on the provisional agenda of the thirty-first session of the Commission and this has been done by the inclusion of item 7 in the provisional agenda.

Concerning resolution 10 (XXVII) on the problem of the applicability of existing international provisions for the protection of human rights to individuals who are not citizens of the country in which they live, reference is made to the annotations under item 11 of the provisional agenda of the Commission.

The financial implications of the resolutions adopted by the Sub-Commission at its twenty-seventh session are set forth in annex II of document E/CN.4/1160.

13. Study of discrimination against persons born out of wedlock, and the draft general principles on equality and non-discrimination in respect of such persons (Economic and Social Council resolution 1787 (LIV)).

By resolution 1787 (LIV), the Council requested the Commission to consider this question again at its thirty-first session.

In accordance with the same resolution of the Council, the Secretary-General transmitted to governments, specialized agencies, regional inter-governmental organizations and non-governmental organizations in consultative status, for their comments and observations, the draft general principles on equality and non-discrimination in respect of persons born out of wedlock. The Council further invited the Commission for Social Development and the Commission on the Status of Women to consider, as appropriate, the study of discrimination against persons born out of wedlock, and the draft general principles relating thereto, in the light of the comments received by the Secretary-General, as mentioned above. The comments received from governments, specialized agencies, regional inter-governmental organizations and non-governmental organizations received under the Council resolution are contained in documents E/CN.4/1157 and Add.1.

The Commission on the Status of Women, at its twenty-fifth session in 1974, took note of the Council resolution, the study and the draft general principles relating thereto. It recalled that it had already examined those principles in 1967, when, in its resolution 6 (XX), it had expressed support for the draft general principles and initiated the preparation of a study of the status of the unmarried mother (United Nations publication, Sales No. 71.IV.4). This had led to the adoption by the Council in 1972, in its resolution 1679 (LII), of a set of general principles to eliminate discrimination against the unmarried mother. In light of the foregoing, the Commission considered that it was unnecessary for it to take further action with respect to the Council resolution (E/5451, paragraphs 6 and 276).

The Commission for Social Development holds its twenty-fourth session from 6-24 January 1975. The Secretary-General will bring to the attention of the Commission any action taken by the Commission for Social Development as soon as it is available.

14. Periodic reports on economic, social and cultural rights (Economic and Social Council resolutions 1596 (L) and 1793 (LIV) and decision of 18 May 1973).

The Commission will have before it the following documents:

(a) Reports on economic, social and cultural rights for the period June 1969 to June 1973, received from governments (E/CN.4/1155 and addenda) and specialized agencies (E/CN.4/1156 and addenda).

(b) A subject and country index to the aforementioned reports (E/CN.4/1165 and Add. 1).

(c) An analytical summary of the reports prepared by the Secretary-General (E/CN.4/1164 and Add. 1).

(d) An up-to-date memorandum on the status of multi-lateral agreements in the field of human rights (E/CN.4/907/Rev.11).

(e) The report of the Ad Hoc Committee on Periodic Reports on the work of its 1975 session (E/CN.4/1167) will be distributed during the session of the Commission.

15. Question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred (General Assembly resolution 2839 (XXVI) and Commission decision 9 of 7 March 1974).

According to its decision 9 of 7 March 1974, this item was postponed by the Commission to its thirty-first session.

In resolution 2839 (XXVI), the General Assembly decided to place this question on its agenda, and under continuing review, and urged other competent organs of the United Nations to do likewise, so that appropriate measures could be taken promptly as required. At its 2,201st meeting on 14 December 1973, the General Assembly decided that the consideration of this question should be deferred until such time as discussion of the item had been concluded in the Commission on Human Rights.

16. Study of the right of everyone to be free from arbitrary arrest, detention and exile, and the study of the right of arrested persons to communicate with those with whom it is necessary for them to consult in order to ensure their defence or to protect their essential interest, and draft principles on freedom from arbitrary arrest and detention (Commission resolution 23 (XXV) and decision 9 of 7 March 1974).

The study on the right of everyone to be free from arbitrary arrest, detention and exile, as prepared by a Committee of the Commission, was submitted to the Commission in 1962 (United Nations publication, Sales No: 65.XIV.2). By its resolution 2 (XVIII), the Commission transmitted the draft principles on freedom from arbitrary arrest and detention, prepared by the Committee, to States Members

of the United Nations and states members of the specialized agencies for their comments. The comments received from governments were circulated at various sessions of the Commission (E/CN.4/835 and Add. 1-6, Add. 6/Corr.1 and Add. 7-12).

The Committee was asked to undertake a separate study on the right of arrested persons to communicate with those whom it was necessary for them to consult in order to ensure their defence or to protect their essential interests. The report of the Committee on this study (E/CN.4/996) was submitted to the Commission at its twenty-fifth session in 1969. This study contained suggestions for the modification and revision of some of the draft principles contained in the Committee's original study. By resolution 23 (XXV), the Commission, desiring to obtain the views of as many governments as possible on the new study and the proposed modifications and revisions of the draft principles, requested the Secretary-General to transmit them to governments of States Members of the United Nations and states members of the specialized agencies, and to submit the comments of governments at its twenty-seventh session. Accordingly the comments of governments were distributed at the twenty-seventh and twenty-eighth sessions of the Commission (E/CN.4/1044 and Add. 1-3).

The Commission has postponed consideration of this item at its last four sessions (E/5464, Chapter XIX, Section 13, decision 9).

In decision 6 of 6 March 1974, the Commission authorized the Sub-Commission to include in the agenda of its twenty-seventh session an item entitled "The Question of the Human Rights of Persons Subjected to any Form of Detention or Imprisonment". The Sub-Commission, at its twenty-seventh session, discussed the question (E/CN.4/1160, Chapter III) and adopted resolutions 7 (XXVII) and 8 (XXVII); the last of these resolutions recommended the insertion of an item on the provisional agenda of the Commission, and, accordingly, the Secretary-General has included item 7 on the provisional agenda of the Commission. The annotations to item 7 and on item 12 relating to the report of the Sub-Commission set out further details on the Sub-Commission's actions.

The Commission may wish to bear in mind that the study also deals with the question of torture and other cruel, inhuman or degrading treatment or punishment, including draft principles relating thereto and is therefore relevant to the consideration of the question arising out of General Assembly resolutions 3059 (XXVIII) and 3218 (XXIX), as well as the discussions in the Sub-Commission referred to above. In particular the General Assembly in its resolution requested Member States to furnish the Secretary-General in time for submission to the Fifth United Nations Congress on Prevention of Crime and Treatment of Offenders (September 1975) information relating to the legislative, administrative or judicial measures, including remedies and sanctions, aimed at safeguarding persons within their jurisdiction from being subjected to torture and other cruel, inhuman or degrading treatment or punishment, and their observations and comments on articles 24 to 27 of the draft principles on freedom from arbitrary arrest and detention prepared for the Commission. The Secretary-General was requested to prepare an analytical summary of the information received from Member States for submission to the Congress, to the General Assembly at its thirtieth session, to the Commission on Human Rights and its Sub-Commission. The analytical summary will be prepared in time for the Congress and will be made available to the Commission at its thirty-second session.

Among other actions envisaged by the General Assembly resolution is a request to the Congress to include, in the elaboration of the Standard Minimum Rules for the Treatment of Prisoners, rules for the protection of all persons subjected to any form of detention or imprisonment, against torture and other cruel, inhuman or degrading treatment or punishment, and to report thereon to the thirtieth session of the

General Assembly. The Assembly also decided to consider at its next session the question of torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment.

17. Advisory services in the field of human rights.

This item, according to decision 9 of 7 March 1974 of the Commission, was postponed to the thirty-first session of the Commission.

In accordance with General Assembly resolution 926 (X) and Economic and Social Council resolutions 684 (XXVI) and 1008 (XXVIII), the Commission will have before it Reports by the Secretary-General on the programme of advisory services in the field of human rights (E/CN.4/1136 and E/CN.4/1169).

In accordance with its resolution 10 (XXII), the Commission will have before it the Report of the Seminar held in Ohrid, Yugoslavia, in June 1974 (ST/TAO/HR49).

18. Further promotion and encouragement of human rights and fundamental freedoms, including the question of a long term programme of work of the Commission (Commission resolution 10 (XXX)).

By resolution 10 (XXX), the Commission decided to consider the question of a long-term programme of its work at its thirty-first session. It requested the Secretary-General to invite proposals and views of States Members concerning the Commission's programme of work and to submit an analysis of such replies to the Commission at its thirty-first session. The Secretary-General will circulate, in document E/CN.4/1168, an analysis of the replies received from governments of Member States.

The attention of the Commission is also drawn to its decision 8 of 7 March 1974, by which it decided to postpone to its thirty-first session consideration of draft resolution contained in document E/CN.4/L.1285 and the amendments thereto set out in document E/CN.4/L.1286.

19. Communications concerning human rights.

The Commission will have before it confidential lists of communications and confidential documents containing the replies of governments to communications furnished to them, prepared by the Secretary-General in accordance with Economic and Social Council resolutions 728 F (XXVIII), 1235 (XLII) and 1503 (XLVIII). It will also have before it a confidential document of a statistical nature prepared by the Secretary-General in accordance with Commission resolution 14 (XV). Further, the Commission will have before it a non-confidential list of communications (E/CN.4/CR/45) dealing with the principles involved in the promotion of universal respect for, and observance of, human rights.

20. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (Economic and Social Council resolution 1334 (XLIV)).

In accordance with Economic and Social Council resolution 1334 (XLIV) of 31 May 1968, the Commission, at its twenty-eighth session in 1972, elected 26 members of the Sub-Commission for a term of three years, from nominations of experts made by States Members of the United Nations. The Commission will accordingly hold at this

session a new election of the membership of the Sub-Commission. It will have before it a note by the Secretary-General, which will include nominations received from Member States (E/CN.4/1171 and addenda) of candidates for election and the provisions on the geographical distribution of membership of the Sub-Commission contained in the Council resolution.

21. Draft provisional agenda for the thirty-second session of the Commission (Economic and Social Council resolution 1894 (LVII)):

In its resolution 1894 (LVII), the Economic and Social Council requested the Secretary-General to submit at each session of a functional commission or subsidiary body of the Council, a draft provisional agenda for its following session, together with information indicating in respect of each agenda item, the documents to be submitted under that item, and the legislative authority for their preparation, with a view to enabling the functional commission or subsidiary body concerned to consider its documentation from the point of view of its contribution to the work of the commission or body, and of its urgency and relevance in the light of the current situation.

The Secretary-General will submit towards the end of the thirty-first session of the Commission a note (E/CN.4/L.1288), containing a draft provisional agenda for the thirty-second session, together with the information concerning the documentation relating thereto, called for by the Council.

22. Report of the thirty-first session of the Commission to the Economic and Social Council.

In accordance with Rule 38 of the Rules of Procedure, the Commission reports to the Council on the work of each session. The Commission will recall that at its 1637th meeting, on 8 August 1969, the Council decided to request its functional commissions to consider ways and means of reducing the volume of their reports to the Council, and requested the Secretary-General to take this into account when preparing draft sections of reports for the consideration of subsidiary bodies. The Commission's attention has been drawn, since its twenty-eighth session, to General Assembly resolution 2836 (XXVI), setting forth the principles to be followed in the drafting of reports of subsidiary organs, which, at the invitation of the Assembly, was drawn by the Council to the attention of all of the Council's subsidiary bodies, including the analogous guidelines laid down in Council resolution 1623 (LI) Section III. The observance of paragraph 10 of Council resolution 1623 (LI) was further emphasized by the Council at its 1837th meeting on 28 July 1972. This paragraph sets forth the decision of the Council that the reports of its functional commission should contain, in addition to a resumé of the discussions, a concise summary of recommendations and a statement of issues requiring action by the Council, and that all resolutions adopted by its functional commissions should normally be in the form of drafts for approval by the Council. The Commission will further recall that following the decision taken at the 1876th meeting of the Council on 7 August 1973, the chapter concerning matters requiring action by the Council has been included as the first chapter instead of the last chapter of the report of the Commission to the Council.

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Information received from regional inter-governmental bodies, under Economic and Social Council resolution 1159 (XLI), will be made available in document E/CN.4/1170 and addenda.