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COMMISSION ON HUMAN RIGHTS  
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Item 11 of the provisional agenda

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION; ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

National institutions for the promotion and  
protection of human rights

Note by the Secretary-General

1. By resolution 39/144 of 14 December 1984, the General Assembly, inter alia, encouraged all Member States to take appropriate steps for the establishment or, where they already exist, the strengthening of national institutions for the protection and promotion of human rights; and requested the Secretary-General, in the light of his reports and of further information received, to prepare and submit to the General Assembly through the Commission on Human Rights and the Economic and Social Council, a consolidated report, for eventual publication as a United Nations handbook on national institutions for the use of Governments, including information on the various types and models of national and local institutions for the protection and promotion of human rights, taking into account differing social and legal systems, and to report to the Assembly at its fortieth session on the implementation of the resolution.
2. In accordance with the above-mentioned resolution, the Secretary-General submitted to the General Assembly at its fortieth session a report in which he provided information on the steps taken to prepare the proposed handbook, on the sources of information to be used and on the planned contents (A/40/469). As stated in that report, it would be envisaged that the structure of the consolidated report would be broadly similar to that of the first study (A/36/440), which had been commented upon favourably by the Third Committee at the thirty-sixth session of the General Assembly.
3. By its resolution 40/123 adopted on 13 December 1985, the General Assembly welcomed and encouraged the efforts of the Secretary-General to prepare and submit the consolidated report for eventual publication as a United Nations handbook. The text of this resolution is annexed to the present note.

GE.86-10098

4. Since the submission of the above-mentioned report to the General Assembly, the Secretary-General has received further replies from Governments in response to his request for relevant information. Altogether as of 1 January 1986, replies had been received from the Governments of Argentina, Barbados, Cyprus, Fiji, France, Iraq, Japan, People's Republic of Mongolia, Poland, Portugal, Singapore, Ukrainian SSR and Zimbabwe. The ILO, WHO and the Council of Europe furnished information.

5. At this stage the Secretary-General intends to give Governments a further opportunity of submitting relevant information or views on the subject-matter which could be taken into account in the consolidated report. Accordingly the Secretary-General will again approach Governments, specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with a request for information. The Commission for its part might wish to appeal to Governments in a position to do so to submit relevant information or views to the Secretary-General, thus providing most valuable source material for the consolidated report, the initial version of which could be submitted to the Commission at its forty-third session.

Annex

General Assembly resolution 40/123

National institutions for the protection  
and promotion of human rights

The General Assembly,

Recalling its resolutions 32/123 of 16 December 1977, 33/46 of 14 December 1978, 34/49 of 23 November 1979, 36/134 of 14 December 1981, 38/123 of 16 December 1983 and 39/144 of 14 December 1984 concerning national institutions for the protection and promotion of human rights,

Mindful of the guidelines on the structure and functioning of national and local institutions for the promotion and protection of human rights, endorsed by the General Assembly in its resolution 33/46,

Emphasizing the importance of the Universal Declaration of Human Rights, 2/ the International Covenants on Human Rights 3/ and other international human rights instruments for promoting respect for and observance of human rights and fundamental freedoms,

Conscious of the significant role that institutions at the national level can play in protecting and promoting human rights and fundamental freedoms and in developing and enhancing public awareness and observance of those rights and freedoms,

Welcoming the holding of seminars at Geneva, under the auspices of the United Nations, on the experience of different countries in the implementation of international standards on human rights, held in June and July 1983, and on commissions for community relations, held in September 1985,

1. Takes note of the report of the Secretary-General; 4/
2. Emphasizes the importance of developing, in accordance with national legislation, effective national institutions for the protection and promotion of human rights, and of maintaining their independence and integrity;
3. Encourages all Member States to take appropriate steps for the establishment or, where they already exist, the strengthening of national institutions for the protection and promotion of human rights;
4. Draws attention to the constructive role that national non-governmental organizations can play in the work of such national institutions;

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2/ Resolution 217 A (III).

3/ Resolution 2200 A (XXI), annex.

4/ A/40/469.

5. Encourages all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment of such national institutions;

6. Requests the Secretary-General to give due attention to the role of national institutions and non-governmental organizations concerned with the protection and promotion of human rights and to provide all necessary assistance to Member States, upon their request, in the implementation of paragraphs 3 and 5 above, according high priority to the needs of developing countries;

7. Also requests the Secretary-General to continue to provide and, as appropriate, to enhance assistance in the field of human rights to Governments, at their request, within the framework of the programme of advisory services in the field of human rights;

8. Welcomes and encourages the efforts of the Secretary-General to prepare and submit to the General Assembly, through the Commission on Human Rights and the Economic and Social Council, a consolidated report, for eventual publication as a United Nations handbook, on national institutions for the use of Governments, including information on the various types and models of national and local institutions for the protection and promotion of human rights, taking into account differing social and legal systems;

9. Requests the Secretary-General to report to the General Assembly at its forty-first session on the implementation of the present resolution.