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ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

International conditions and human rights

Report of the Secretary-General

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. INTRODUCTION	1 - 2	1
II. SPECIFIC TOPICS	3 - 35	3
A. International peace and security	3 - 4	3
B. Arms limitation and disarmament	5 - 15	3
C. Terrorism and violence	16 - 17	5
D. Development and international economic conditions	18 - 23	5
E. Equality and non-discrimination	24 - 25	6
F. Self-determination	26	7
G. Economic, social and cultural rights	27 - 29	7
H. Civil and political rights	30 - 31	8
I. Women's rights	32 - 35	8

CONTENTS (continued)

	<u>Page</u>
III. INFORMATION RECEIVED FROM GOVERNMENTS, SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS	9
A. Governments	9
Argentina	9
Byelorussian Soviet Socialist Republic	10
Colombia	12
B. Specialized agencies	13
International Labour Organisation	13
United Nations Educational, Scientific and Cultural Organization ..	14
C. Intergovernmental organizations	16
Organization of African Unity	16
D. Non-governmental organizations	17
International Confederation of Free Trade Unions	17

I. INTRODUCTION

1. In paragraph 12 of resolution 34/46 of 23 November 1979, the General Assembly requested the Secretary-General to prepare a report on international conditions and human rights. In its resolution 36/133 of 14 December 1981, the General Assembly, having taken note of the Secretary-General's report (A/36/462) requested him to submit to the Assembly, from the thirty-eighth session on, a biennial progress report updating his initial report.

2. Since the first request of the General Assembly, the Secretary-General has submitted the initial report and two progress reports (A/38/511 and A/40/677). This, the third biennial progress report submitted pursuant to Assembly resolution 36/133, is intended to supplement the information contained in the earlier reports and to refer to some major developments in international conditions during the past two years that would seem to have a bearing upon the universal realization of human rights and fundamental freedoms. Information received by the Secretary-General from Governments, specialized agencies and international organizations is contained in section III below.

II. SPECIFIC TOPICS

A. International peace and security

3. Maintenance of international peace and security is a prerequisite for the universal enjoyment of human rights. During the period covered by the present report, situations of international and internal armed conflicts have continued in several areas of the world and the cost in human lives as well as in disregard for the basic rights and freedoms of the individual has been high.

4. In its latest annual survey report, for example, the Stockholm International Peace Research Institute (SIPRI) reported that, in 1986, 36 wars and armed conflicts were being waged involving over 5 million combatants from 41 nations and with material support from even more. SIPRI has estimated that 3 to 5 million people had been killed during the course of those conflicts.

B. Arms limitation and disarmament

5. Over the past two years the situation in the field of arms limitation and disarmament, while not substantially changed, has nevertheless evolved in such a way as to give rise to somewhat more optimistic expectations. Although military expenditures have continued to rise, though at a lower rate than in the past, disarmament negotiation efforts at the bilateral and multilateral levels have significantly increased.

6. The Human Rights Committee, which functions under the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex), in its report to the General Assembly at its fortieth session, reiterated that "while

remaining deeply concerned by the toll of human life taken by conventional weapons in armed conflicts", the existence and possible dangers of the use of nuclear weapons "are among the greatest threats to the right of life which confront mankind today". 1/

7. In October 1986, in Reykjavik, the leaders of the Union of Soviet Socialist Republics and of the United States of America discussed far-reaching disarmament measures. Although no agreement was reached then, the talks provided a boost to negotiations in all major disarmament forums. As of the preparation of this report, an agreement has been reached in principle by the two parties to conclude a treaty on the global elimination of United States and Soviet intermediate- and shorter-range nuclear missiles.

8. In September 1987, agreement was concluded between the United States and the Soviet Union on the establishment in Moscow and in Washington of centres, nationally manned, for the nuclear risk alert.

9. In September 1986, the Conference on Confidence- and Security-Building Measures and Disarmament in Europe, held at Stockholm with the participation of 33 European countries, plus Canada and the United States, succeeded in reaching agreement on significant confidence-building measures that will be instrumental in reducing the risk of war in Europe, creating greater openness in military matters and establishing more confidence between East and West.

10. Also in December 1986, the Treaty of Rarotonga entered into force. The Treaty provides for a nuclear-weapon-free zone in the South Pacific region.

11. The Conference on Disarmament, the single multilateral disarmament negotiating forum of the international community, has continued its work, inter alia, on the elaboration of a world-wide convention that would ban chemical weapons. In the period covered by this report, substantial progress has been made, particularly in connection with the question of verification, where all sides have displayed a willingness to find ways and means to ensure compliance with the provisions of such a convention.

12. Within the framework of the activities of the World Disarmament Campaign, regional conferences, seminars and meetings of experts were held, inter alia, in Egypt, Sweden, Togo, Italy, China and the Soviet Union. They aimed at informing, educating and generating public understanding and support world-wide for the objectives of the United Nations in the field of disarmament in an objective, factual and balanced manner.

13. Pursuant to General Assembly resolutions 40/151 G of 16 December 1985 and 41/60 J of 3 December 1986, respectively, the United Nations Regional Centre for Peace and Disarmament in Africa was established at Lomé, Togo, in 1986, and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America was established at Lima, Peru, as of January 1987. The Centres will be instrumental in co-ordinating United Nations efforts at the regional level for the promotion of the objectives of peace, disarmament and development.

14. The International Conference on the Relationship between Disarmament and Development was held at New York from 24 August to 11 September 1987. Attended by 150 countries represented at a high political level and with the participation of some 200 representatives of non-governmental organizations from all parts of the world, the Conference adopted unanimously a Final Document (A/CONF.130/39, sect. II).

15. The Final Document emphasizes that disarmament and development are distinct processes although there are many ways in which they can reinforce each other. Both in turn are interlinked with security. A triangular relationship has emerged conceptually among disarmament, development and security. The Final Document also recognizes that underdevelopment and lack of development constitute non-military threats to security and that, thus, the combined effect of lower, balanced and verifiable levels of arms and armed forces and greater efforts for development globally could be instrumental in the establishment of a more stable and secure international system.

C. Terrorism and violence

16. In the period covered by the present report, terrorism has not abated and its cost in human lives and suffering has not lessened. Both the Security Council and the General Assembly have condemned terrorism in forthright terms and the outlawing of terrorism remains one of the urgent items on the international agenda. Appropriate forms of co-operation must be pursued to abate and eventually halt terrorist practices.

17. Violent practices such as arbitrary and summary executions, torture, and enforced and involuntary disappearances continue to take place. The use of such forms of violence by whomsoever concerned is totally unacceptable and the international community must step up its efforts to eradicate such practices as soon as possible.

D. Development and international economic conditions

18. In various resolutions, the General Assembly has affirmed that the right to development is an inalienable human right which must be assured to everyone. However, international economic conditions during the period have made it difficult for Governments to ensure to everyone the realization of basic economic and social rights such as the rights to food, shelter and health services. The seventh session of the United Nations Conference on Trade and Development (UNCTAD), which was held from 9 July to 3 August 1987 and which adopted a Final Act (TD/350), assessed the world economic situation and recommended by consensus measures on debt, commodities, trade and assistance to the least developed countries. In an assessment of the world economic situation, the Conference concluded that the world economy in the 1980s has been characterized by a slow-down in growth of demand and output, generally lower rates of inflation, difficulties in many countries in adapting to structural changes, a mounting stock of debt, high real interest rates, inadequate net flows of financial resources, shifts in exchange rates, high and

increasing levels of protection, commodity prices depressed to their lowest level in 50 years, terms-of-trade losses sustained by commodity-exporting countries, and a generally insecure economic environment in which millions of people still lack the basic conditions for a decent life. The Conference found that in the absence of concerted action, it would be difficult, if not impossible, to find successful solutions.

19. The Conference reached a broad understanding on the need for all countries to implement national and international policy measures to improve the environment for accelerated and sustainable development. In that context, the understanding was reached that there was a need for major market-economy countries to adopt co-ordinated policies to promote stable, sustainable, non-inflationary growth and to strengthen mechanisms for the ongoing process of multilateral surveillance of economic policies. For developed market-economy countries and the socialist countries of Eastern Europe, there was a need to contribute to the strengthening of the production potential of developing countries, to improve access for imports from those countries and to enhance the flow of public and private resources to developing countries. Finally, for developing countries, there was a need to mobilize domestic financial and human resources, to provide a suitable policy environment for external financial resources and to reinforce economic co-operation among themselves.

20. The Conference agreed that multilateral economic co-operation should be a continuing endeavour in the interest of the world economy as a whole. Member States pledged themselves to a reinvigorated effort to strengthen multilateral co-operation, growth and international trade, and to enhance the effectiveness of UNCTAD as an important instrument of international economic co-operation.

21. The Final Act of the Conference contains an agreement on the debt problem, which recognizes that a solution to the debt crisis will be reached only by an approach based on development, within the framework of an integrated, co-operative, growth-oriented strategy that takes into account the particular circumstances of each country.

22. The Final Act states that the objective of the co-operative debt strategy should be to produce a situation where, in support of the process of structural adjustment, domestic resources and external resources (facilitated, inter alia, through export earnings, new financial flows and/or debt rearrangements) are sufficient to finance the country's import and investment requirements, in order to assist the country to reach on a sustainable basis its growth and development potential.

23. The Final Act of the Conference also deals with external financing, domestic resources and monetary questions.

E. Equality and non-discrimination

24. The international community is at present almost midway through the Second Decade for Action to Combat Racism and Racial Discrimination. Much has been done to promote the principle of equality and non-discrimination, which is enshrined in

the Charter of the United Nations and in the Universal Declaration of Human Rights (resolution 217 A (III)). The International Convention on the Elimination of All Forms of Racial Discrimination (resolution 2106 A (XX), annex) is one of the most widely ratified international conventions and the International Convention on the Suppression and Punishment of the Crime of Apartheid (resolution 3068 (XXVIII), annex), has gained further ratification or adherence during the past two years. The two bodies established under these Conventions, the Committee on the Elimination of Racial Discrimination and the Group of Three of the Commission on Human Rights, continued to contribute to the implementation of the provisions enshrined in the Conventions and to the elimination of all forms of discrimination based on race, colour, descent or national or ethnic origin, especially the elimination of apartheid in South Africa and Namibia. It has to be recognized, however, that notwithstanding the efforts of the international community, apartheid continues to wreak havoc upon the human rights of the people of South Africa and Namibia.

25. The human rights situation in South Africa has deteriorated, particularly with the extension of the state of emergency, which gives the police and security forces unlimited powers of repression with almost total immunity from prosecution and imposes draconian measures on the domestic and foreign media. Detention without charge or trial of opponents, even of children, is extensive as is torture and ill-treatment of detainees. Political trials on charges related to political protests have increased and at present 32 persons are on death-row as a result of convictions in trials connected with protest against apartheid.

F. Self-determination

26. Situations continue to exist in which peoples are unable to exercise their right of self-determination because of colonial or alien domination or foreign occupation. Reference may be made in this connection to the report of the Secretary-General on this topic (A/42/448).

G. Economic, social and cultural rights

27. The stresses upon the international economic system during the reporting period have resulted in a situation in which large numbers of people go daily without adequate food, drinking water, medicines, health services, clothing or shelter.

28. The International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI), annex) has been ratified or acceded to by 90 States. So far, initial reports have been received from 49 States parties covering articles 6 to 9 of the Covenant; 44 States parties have submitted initial reports covering articles 10 to 12, and initial reports covering articles 13 to 15 have been received from 39 States parties.

29. In 1987, the Committee on Economic, Social and Cultural Rights began to function. It held its first session, at Geneva, from 9 to 27 March 1987, at

which it considered 11 reports from eight States parties. In its report, 2/ the Committee recognized that many States Members of the United Nations, in spite of all the efforts they were making, faced special difficulties in promoting the full enjoyment of economic, social and cultural rights. Among the sources of those difficulties was the insufficient level of socio-economic development in those States; the difficulties were often compounded by circumstances beyond their control. In view of those special difficulties, the Committee reiterated that the progressive implementation of the Covenant was closely linked to the development process of each country, thus requiring a favourable international context. In that connection, the Committee expressed its serious concern at the widening gap between developed and developing countries, as well as at the heavy burden of external indebtedness suffered by the peoples of Latin America, Asia and Africa. In that respect, the Committee reiterated its deep concern about the negative impact of the current international economic situation, particularly on developing countries and, in that context, stressed the importance of further strengthening international co-operation for development and an equitable and just economic order.

H. Civil and political rights

30. International co-operation for the universal realization of civil and political rights continues to register progress. During the period under consideration, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46, annex) has entered into force and the Committee against Torture will commence operations shortly. The Convention has so far been ratified by 25 States.

31. The International Covenant on Civil and Political Rights has currently been ratified or acceded to by 86 States and 38 States became party to the Optional Protocol to this Covenant. The Human Rights Committee, which functions under this Covenant, has so far considered initial reports from 71 States parties and follow-up reports from 19 States parties. It has issued 15 general comments on various articles of the Covenant. Moreover, it has so far rendered 77 views under the Optional Protocol to the Covenant.

I. Women's rights

32. Under the Nairobi Forward-looking Strategies for the Advancement of Women 3/ and the system-wide medium-term plan for women and development (E/1987/52), intergovernmental bodies are striving to achieve significant progress in the ratification of the international standards concerning the status of women, to increase the awareness of Governments and the public of those standards and to promote compliance with them.

33. The Commission on the Status of Women, by Economic and Social Council resolution 1983/27, has reaffirmed its mandate to consider communications concerning the status of women, communications dealing with the promotion of women's rights in the political, economic, civic, social and educational fields and other communications concerning the status of women. The Commission, during each

session, sets up a working group that reviews the confidential communications and brings to the attention of the Commission those communications, including replies of Governments, which appear to reveal a consistent pattern of reliably attested injustices and discriminatory practices against women. By this exercise the Commission identifies trends from which policy decisions can be derived. At its 1986 session, 4/ the Commission on the Status of Women noticed an increase of physical violence against detained women (see also Economic and Social Council resolution 1986/29).

34. The Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180, annex) binds 93 States to comply with the provisions of the Convention concerning political, economic, social and cultural rights.

35. The Committee on the Elimination of Discrimination against Women, established under the Convention, has held six sessions, at which it has examined reports received from the States parties. 5/

III. INFORMATION RECEIVED FROM GOVERNMENTS, SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

A. Governments

ARGENTINA

[Original: Spanish]

[23 July 1987]

1. The constitutional authorities of the Argentine Republic believe that one of the most effective mechanisms for the promotion and protection of human rights and fundamental freedoms is the ratification of the international instruments drawn up for this purpose. The Government therefore endeavoured, after it took office on 10 December 1983, to ratify without delay the various international instruments designed to guarantee and protect the full enjoyment of human rights. Thus, in less than four years of democratic government, the following instruments were ratified:

Ratifications:

American Convention on Human Rights (adopted by Law 23.054 of 1 March 1984);

Convention on the Elimination of All Forms of Discrimination against Women (adopted by Law 23.179 of 8 May 1985);

International Convention on the Suppression and Punishment of the Crime of Apartheid (adopted by Law 23.221 of 21 August 1985);

International Covenant on Civil and Political Rights, Optional Protocol and International Covenant on Economic, Social and Cultural Rights (adopted by Law 23.3133 of 17 April 1986);

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted by Law 23.338 of 30 July 1986);

Additional Protocols I and II to the Geneva Conventions of 12 August 1949 (adopted by Law 23.379).

2. Moreover, under decree 464/85 of the national executive power, the Committee on Eligibility for Refugees (CEPARE) was established; its main purpose is to consider refugee applications submitted by aliens. CEPARE applies the norms of the United Nations Convention relating to the Status of Refugees, of 1951. It should be noted that, since the adoption of Law 23.160 of 1984, the Convention has been applied without geographical restriction.

3. Currently, on strictly humanitarian grounds, the Argentine Republic admits refugees from any part of the world.

4. It should be added that in international forums (United Nations, Organization of American States and others) the Government of the Argentine Republic follows a policy consistent with the principles set forth in the international instruments it has ratified.

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]

[3 September 1987]

1. International co-operation in the promotion and development of respect for human rights and fundamental freedoms, in the view of the Byelorussian SSR, may be enhanced if all States follow the spirit and letter of the United Nations Charter and strictly implement the international legal instruments adopted by the United Nations and its bodies in this field.

2. An important area of United Nations activity is the struggle against flagrant and mass violations of human rights, above all in situations posing a threat to international peace and security, which are a manifestation and consequence of imperialist policy, racism and racial discrimination, fascism, aggression and the suppression of national liberation movements. This was confirmed very clearly in General Assembly resolution 32/130.

3. A second area of activity is that of formulating new international agreements and other relevant human rights instruments, and of making those as well as existing instruments truly universal in nature. In this respect, the strengthening of the right to a safe future would also be a substantial step in saving succeeding generations from the scourge of war. The codification of such rights as the right

to development, to peace, to environmental protection, etc. would definitely contribute to the enjoyment of human rights.

4. The Byelorussian SSR supports the proposal made at the Vienna meeting of representatives of States parties to the Conference on Security and Co-operation in Europe, in November 1986, to convene in Moscow a representative conference which would consider the whole range of humanitarian co-operation among States parties to the Helsinki process in the broad context of human rights - civil, political, economic, social and cultural. The holding of such a conference would undoubtedly help intensify international co-operation in human rights.

5. The Byelorussian SSR believes that international co-operation in the promotion and development of respect for human rights should be based on strict observance of the principles of the Charter, including respect for sovereignty and non-interference in the internal affairs of States.

6. The inadmissibility of the use of human rights questions as a means of interference in the internal affairs of countries is made clear, in particular, in the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, of 9 December 1981.

7. United Nations efforts in all the areas mentioned undoubtedly contribute to the development of international co-operation in the promotion of universal respect for human rights. As may be recalled, the General Assembly, at its forty-first session, endorsed the initiative of the socialist countries for the establishment of a comprehensive system of international security, one of the foundations of which is the co-operation of States in the humanitarian sphere.

8. Within the United Nations, a broad system of representative bodies concerned with human rights questions has been developed and is in operation; they include the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women, which were established in accordance with international agreements.

9. It is clear that, in these circumstances, rather than considering the establishment of any new bodies, posts or procedures, it is better to try to improve the work and enhance the effectiveness of the existing system of such bodies.

10. The Byelorussian SSR is an active supporter of equitable international co-operation in human rights. The Byelorussian SSR's adherence to the humanitarian principle of universal respect for rights and fundamental freedoms is demonstrated by the fact that this principle is enshrined in the Constitution of the Republic. As a party to many important international legal instruments such as the International Covenants on Human Rights, the International Convention on the Suppression and Punishment of the Crime of Apartheid, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, the Convention on the Political Rights of Women, the Convention on the

Elimination of All Forms of Discrimination against Women, and many other instruments, the Byelorussian SSR strictly abides by the obligations it has assumed and regularly submits reports about their fulfilment to the appropriate United Nations bodies.

11. In the Republic, as in the country as a whole, extensive work is being carried out to enhance the democratization of all aspects of public life, strengthen legality and law and order, and reliably protect the constitutional rights and legal interests of citizens on the basis of the development of self-management for the people, the expansion of glasnost, and strict observance of the principle of social justice.

COLOMBIA

[Original: Spanish]

[15 June 1987]

1. The Government of Colombia, reaffirming its support for international legal standards, the purposes and principles of the Charter of the United Nations and those of the Organization of American States, whose observance and fulfilment are essential in order to guarantee peaceful coexistence and co-operation among States, and reiterating its faith in the system of representative democracy, the system which best meets the aspirations of man, since within it peoples are able to achieve political maturity and social and economic progress, in a context of freedom and respect for human dignity, and also conscious of the need to accede to international human rights instruments, has signed the following international agreements:

(a) International Convention for the Suppression of the White Slave Traffic, Paris, 4 May 1910;

(b) Inter-American Convention on the Granting of Political Rights to Women, Bogotá, 2 May 1948;

(c) Inter-American Convention on the Granting of Civil Rights to Women, Bogotá, 2 May 1948;

(d) Convention on the Prevention and Punishment of the Crime of Genocide, New York, 12 August 1949;

(e) International Convention on the Elimination of All Forms of Racial Discrimination, New York, 7 March 1966;

(f) International Covenant on Economic, Social and Cultural Rights, New York, 16 December 1966;

(g) International Covenant on Civil and Political Rights, New York, 14 December 1966;

(h) Optional Protocol to the International Covenant on Civil and Political Rights, New York, 14 December 1966;

(i) American Convention on Human Rights (Pact of San José), San José, Costa Rica, 22 November 1969;

(j) Convention on the Elimination of All Forms of Discrimination against Women, Copenhagen, 17 July 1980.

2. It is important to emphasize that Colombia has constantly urged the international community to increase support for dialogue aimed at the peaceful settlement of disputes. It has also reiterated its unswerving support for the essential principles of international law, such as the sovereign equality of States, rejection of the threat or use of force in international relations, the self-determination of peoples and non-interference in the internal affairs of States. These principles, together with the consolidation of the system of international protection of human rights and its executing organs, form the sole basis on which a strong and fruitful peace may be established.

3. Similarly, in the internal sphere, the present Government of Colombia has attached great importance to the promotion, observance, applicability and full exercise of human rights and for this purpose, is working in conjunction with the various governmental bodies active in this area in order to give effect to the urgent recommendation by the United Nations that knowledge of human rights should be widely disseminated.

B. Specialized agencies

INTERNATIONAL LABOUR ORGANISATION

[Original: English]

[30 June 1987]

1. As stated in the previous reply of the International Labour Organisation (ILO) (see A/40/677), a large part of the activities of ILO are concerned with the promotion and protection of human rights.

2. As usual, the reports of ILO supervisory bodies deal with specific aspects of human rights coming within the competence of ILO and include:

(a) Reports of the Committee of Experts on the Application of Conventions and Recommendations (report III (4A) and III (4B) submitted to each session of the International Labour Conference);

(b) Reports of the Conference Committee on the Application of Conventions and Recommendations (included in the Record of Proceedings of the International Labour Conference);

(c) Reports of the Governing Body Committee on Freedom of Association (available initially as Governing Body documents, and then published in the ILO Official Bulletin, Series B);

(d) Reports on representations and complaints made respectively under articles 24 and 26 of the ILO Constitution (also available as indicated immediately above).

3. It may also be noted that in the general section of report III (4A), the Committee regularly deals in recent years with certain general issues relating to the application of the Employment Policy Convention, 1964 (No. 122) an instrument relevant to the right to work under article 6 of the International Covenant on Economic, Social and Cultural Rights.

4. The Committee has also presented reports to the Economic and Social Council, in accordance with arrangements made under article 18 of the Covenant, on the progress made in the observance of the rights coming within the scope of activities of ILO.

5. In the previous reply, reference was made to the World Labour Report, vol. 1, 1984; volume 2, 1985, has since been published. Together, the reports give an overview of the main labour issues in the world.

6. Finally, attention is drawn to the report of the Director-General submitted to each session of the International Labour Conference. In part II of the report, activities of ILO in the previous year are summarized. Part I of the report deals with selected themes, namely, in 1986: The changing world of work; major issues ahead; and in 1987: Reflections on the future of multilateral co-operation: the ILO perspective.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND
CULTURAL ORGANIZATION

[Original: French]

[6 July 1987]

1. Within the framework of Programme XIII.2 - Respect for human rights - in 1984 UNESCO launched a series of studies on measures taken in the various countries to ensure the effective exercise of human rights and ways in which disadvantaged social groups effectively benefit from implementation and adaptation measures or have practical access to ombudsmen, mediators or regional courts.

2. In addition to two studies of a general nature, eight case studies concern, respectively, unemployed persons and migrants in Italy and the Syrian Arab Republic, handicapped people in Canada and Yugoslavia, the elderly in the United States and Ghana and the poor in India and Argentina. The case studies focus on five major topics: the poor, the unemployed, migrants, the handicapped and the elderly. The countries were chosen so as to permit a comparative study of the various regulatory, educational and legal and social assistance systems.

/...

3. On the basis of these studies a meeting of international experts was held in December 1985 in Quebec, Canada, gathering together anthropologists, historians, jurists and economists, with the aim of suggesting ways and means of improving action in behalf of disadvantaged groups such as ethnic minorities, the unemployed, refugees, migrants, the handicapped and the elderly. The meeting was organized in collaboration with the Canadian Commission for UNESCO and Laval University. The experts examined the studies carried out in 1984 and 1985 and suggested ways of enhancing action in behalf of those groups. The meeting aroused much interest and the work of the 13 experts was followed by about 30 observers and many members of the public. Several Canadian personalities participated in the discussion as moderators.

4. In their recommendations, the experts focused on action-oriented research to analyse the role of the institutions designed to promote and protect human rights, the role that could be played by the various disadvantaged groups in promoting human rights and in their community's social, economic and cultural development, and the way in which the mass media present members of the disadvantaged groups. As regards training and information, the experts recommended the preparation of a pilot project, assistance to institutions working in behalf of such groups in order to prepare programmes and teaching and information materials, the creation of regional networks of institutions, and a special section to promote the effective access to human rights by disadvantaged groups within human-rights documentation centres.

5. Under this programme, UNESCO is also preparing, in collaboration with the International Commission of Jurists (ICJ), an international index of international, regional, national, provincial and local institutions (voluntary, private, non-governmental, para-governmental, governmental, etc.) having information at their disposal which could facilitate effective access to human rights by disadvantaged social groups such as the poor, the unemployed, migrants, ethnic, cultural and religious minorities, the elderly and the handicapped.

6. Under subprogramme XII.1 - Studies and research on prejudice, intolerance and racism - informal consultations were held at UNESCO headquarters in Paris from 30 March to 2 April 1987, in order to promote comparative research on practical measures to ensure the full exercise of cultural rights for multilingual, multifaith and multicultural nations. The consultations, which were based on three case studies on the subject under consideration, covering Canada, Ecuador and Hungary, gathered together members of national research institutions in order to encourage comparative research and scientific exchanges in that field and to examine ways of co-ordinating research work and of communicating the results to the decision-makers.

7. The participants stressed the fact that most States now recognized their diversity and were attaching increasing importance to the demands of the various cultural, religious and linguistic groups, even though the State often identified itself with a dominant culture.

8. Nevertheless, certain groups, for historic or socio-economic reasons, were marginalized from society. The participants pointed out that nation-States had

often been built on the myth of religious or linguistic homogeneity and that that mythical culture was often, in formerly colonial and multi-ethnic countries, that of the upper middle class. The participants explored the extent to which language, culture and religion were used as a means for reflecting the social origins of the various groups, how general measures facilitated the groups' social mobility, and how to satisfy their needs and demands.

C. Inter-governmental organizations

ORGANIZATION OF AFRICAN UNITY

[Original: French]

[12 June 1987]

1. By decision 115 (XVI)/Rev.1, the Assembly of Heads of State and Government called on the Secretary-General of the Organization of African Unity (OAU) to organize a restricted high-level meeting in order to prepare a preliminary draft African Charter on Human and Peoples' Rights. The Charter would provide, inter alia, for the establishment of bodies to promote and protect human and peoples' rights.

2. In accordance with that decision, a preliminary draft African Charter on Human and People's Rights that reflected the African concept of human rights, based on the African philosophy of law and meeting Africa's needs, was drawn up by very high-level African legal experts.

3. That concept should explain the rather original content and presentation of the Charter. It was therefore deemed necessary, in listing the rights recognized and protected to:

(a) Give a prominent place to the principle of non-discrimination;

(b) Emphasize the rules governing the objectives of OAU as laid down in article 2 of the Addis Ababa Charter, and particularly the duty of solidarity and co-operation, sovereignty and the fight against foreign domination;

(c) Show that African values and moral teachings are still of great importance in our societies;

(d) Give economic, social and cultural rights the importance they deserve.

4. The initiative described above distinguishes the African Charter on Human and Peoples' Rights from the conventions already adopted on the subject in other regions.

5. The draft Charter drawn up at the meeting of experts comprised two essential parts: rights and duties, and safeguard measures.

6. A meeting of African Ministers of Justice in two sessions considered and adopted the African Charter on Human and Peoples' Rights.
7. The Charter was then submitted to the Heads of State and Government, who adopted it at the eighteenth ordinary session of their Assembly, held in Nairobi in June 1981.
8. Two bodies ensure the preservation of the rights proclaimed and guaranteed: the Assembly of Heads of State and Government and the African Commission for Human and Peoples' Rights.
9. In the field of promoting human rights the Commission plays an important but traditional role. In the field of protection, it gathers information, establishes the facts, reaches conclusions and makes recommendations to Heads of State and Government. It is for these to take the appropriate measures to ensure the protection of human rights.
10. The African Charter on Human and Peoples' Rights entered into force on 21 October 1986 in accordance with its article 63, paragraph 3, i.e., three months after receipt by the OAU Secretary-General of the instruments of ratification from an absolute majority of States members of OAU.
11. The United Nations Charter commits all Member States to respect the objectives of promoting and encouraging respect for human rights and for fundamental freedoms without distinction as to race, sex, language or religion. The entry into force of the African Charter on Human and Peoples' Rights, less than six years after its adoption, not only demonstrates clearly that African States consider that objective as an important element in their regional co-operation but also underlines the clear will of the community of African States to make a commitment to human dignity.
12. The twenty-third ordinary session of the Assembly of Heads of State and Government, which will be held in Addis Ababa from 27 to 29 July 1988, will elect the 11 members of the African Commission for Human and Peoples' Rights (art. 64, para. 1).

D. Non-governmental organizations

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS

[Original: English]

[25 August 1987]

1. The Confederation stated that despite certain improvements in some countries, particularly in those that had recently returned to democratically elected Governments, serious infringements of trade union rights had again occurred in many countries, ranging from a total denial of freedom of association to a gradual undermining of these rights, from murder, torture and imprisonment to legal and administrative restrictions and union-busting. In many other countries, even those with long-established democratic traditions, there were also restrictions and

infringements of these rights. For ICFTU there cannot be any double standards: all countries, whatever their political system or level of economic development, must fully respect the basic trade union rights in all circumstances.

2. In the view of ICFTU, there was a tendency among Governments to consider respect for trade union rights as less important than certain other human rights. This view had to be strongly rejected. Basic trade union rights were essential to the existence of free and democratic societies, in which trade unions could play a constructive role.

3. The organization further stated that, in its view, the full exercise of trade union rights was possible only under régimes which guarantee the fundamental human rights outlined in the Universal Declaration of Human Rights. Experience had shown that restrictions on trade union rights were more frequently encountered in cases where general human rights were also curtailed.

4. ICFTU submitted a survey on violations of trade union rights (1985/86 and 1986/87) in all parts of the world, from which, in its view, it became clear that the human rights were frequently violated in respect of trade union activities and that trade unionists were often among the first victims of State repression.

Notes

1/ Official Records of the General Assembly, Fortieth Session, Supplement No. 40 (A/40/40), annex VI, paras. 3-4.

2/ Official Records of the Economic and Social Council, 1987, Supplement No. 17 (E/1987/28).

3/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

4/ See Official Records of the Economic and Social Council, 1986, Supplement No. 4 (E/1986/24 and Corr.1 and 2).

5/ For the report of the Committee on the Elimination of Discrimination against Women on its sixth session, see Official Records of the General Assembly, Forty-second Session, Supplement No. 38 (A/42/38).
