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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report of the Secretary-General

I. DECISIONS AND RECOMMENDATIONS OF UNITED NATIONS BODIES ADOPTED DURING 1980  
THAT AFFECT THE ADVISORY SERVICES PROGRAMME IN THE FIELD OF HUMAN RIGHTS

A. Commission on Human Rights (thirty-sixth session)

1. The Commission on Human Rights at its 1550th meeting, on 21 February 1980, adopted resolution 6 (XXXVI) <sup>1/</sup> on the question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which developing countries face in their efforts to achieve these human rights. Operative paragraph 6 of this resolution requested the Secretary-General to arrange for a seminar within the framework of the advisory services programme, on the effects of the existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights and fundamental freedom, particularly the right to enjoy adequate standards of living as proclaimed in article 25 of the Universal Declaration of Human Rights, to be held at a place where there are suitable facilities for it, or at United Nations Headquarters between the end of June and early July 1980. <sup>1/</sup> In connection with this seminar reference is made to paragraph 6 of this report.

B. General Assembly (thirty-fifth session)

2. It will be recalled that the General Assembly at its thirty-fourth session adopted resolution 34/171 in which it requested once again the Secretary-General, under the programme of advisory services in the field of human rights, to explore with the States in the regions concerned the possibility of holding a seminar as soon as possible for the purpose of discussing methods for the promotion and protection of human rights. The Secretary-General was further requested to report to the General Assembly at its thirty-fifth session on the implementation of this resolution.

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<sup>1/</sup> See Official Records of the Economic and Social Council, 1980, Supplement No. 3 (E/1980/13), chapter XXVI, section A.

3. In response to this request the Secretary-General prepared a report on the implementation of resolution 34/171 (A/35/348) which was submitted to the General Assembly at its thirty-fifth session. In his report the Secretary-General informed the General Assembly that he had maintained contacts with the secretariat of the Organization of African Unity (OAU) with a view to making available any possible assistance the organization might wish to request from the United Nations in connection with the establishment of regional arrangements for the promotion and protection of human rights in Africa. The Secretary-General explained that he had followed closely the efforts of governmental and non-governmental organizations to encourage the establishment of regional arrangements in various regions or sub-regions of the world, including those in Africa, Asia, the Arab region and the Caribbean. His representatives had participated as observers in some of the meetings held by those organizations. As regards paragraph 3 of resolution 34/171, the General Assembly was informed that he was engaged in informal consultations with certain States in the regions concerned with a view to exploring the possibility of holding a seminar as soon as possible under the programme of advisory services in the field of human rights for the purpose of discussing methods for the promotion and protection of human rights. In this connection the Secretary-General pointed out that the provision of specific financial resources would be required for the seminar to enable the programme of advisory services to discharge this additional request as well as its existing mandate relating to seminars, training courses and fellowships.

4. Following its consideration of the Secretary-General's report, the General Assembly adopted resolution 35/197, in which it noted with satisfaction the efforts currently under way within the Organization of African Unity to elaborate an African Charter of Human Rights and to establish an African Commission on Human Rights, and requested the Secretary-General to maintain close co-operation with the Secretary-General of the Organization of African Unity on this matter and to keep the General Assembly and the Commission on Human Rights informed as he deemed appropriate. The Assembly welcomed with appreciation the offer made by the Government of Sri Lanka to host a seminar of member States of the Asian region to consider appropriate arrangements for the promotion and protection of human rights in the region and requested the Secretary-General to make the necessary arrangements, following the finalization of the consultations with member States of the Asian region with a view to holding the seminar in Colombo in 1981 and to inform the thirty-sixth session of the General Assembly of the deliberations of the seminar.

5. At the same session, in connection with its consideration of the item on "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" the General Assembly adopted resolution 35/174, in which the Secretary-General was, inter alia, requested to give through the programme of advisory services in the field of human rights priority to the holding of 1981 of a seminar on the relations that exist between human rights, peace and development and to this end present a report to the Commission on Human Rights at its thirty-seventh session, as was recommended by the seminar on the effect of the existing unjust international economic order on the economies of the developing countries and the obstacles that this represents for the implementation of human rights and fundamental freedoms, held in Geneva from 30 June to 11 July 1980. In this connection reference is made to paragraph 8 of this report.

## II. SEMINARS

6. At the invitation of the Government of the Netherlands a symposium on "The Role of the Police in the Protection of Human Rights" was held at the Hague from 14 to 25 April 1980. The symposium was organized on a regional basis and all members of the Economic Commission for Europe were invited to participate in the symposium. It should be noted that the cost of this symposium was entirely defrayed by the Government of the Netherlands. As requested by the symposium the Secretary-General made the report thereof (ST/HR/SER.A/6) available to the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was held at Caracas, Venezuela from 25 August to 5 September 1980.

7. The seminar referred to in paragraph 1 of this report on the effects of the existing unjust international economic order on the economies of the developing countries and the obstacle that this represents for the implementation of human rights and fundamental freedoms, was held at Geneva, Switzerland, from 30 June to 11 July 1980. The seminar was organized on a world-wide basis. In compliance with the request of the seminar, the Secretary-General transmitted the report thereof (ST/HR/SER.A/8) to the General Assembly at its special session on economic development held in August 1980, and at its thirty-fifth regular session.

8. The reports of the above mentioned symposium and seminar are circulated to members of the Commission for their information.

9. With regard to future seminars under the advisory services programme in the field of human rights the Secretary-General will give special attention to the implementation of General Assembly resolutions 35/197 and 35/174, to which reference is made in paragraphs 4 and 5 above. Accordingly, the Secretary-General is planning to organize two seminars in 1981. Preparations are now under way for the seminar on the relations that exist between human rights, peace and development which is scheduled to be held in Geneva from 14 to 25 September. With regard to the seminar on appropriate arrangements for the promotion and protection of human rights in the Asian region, in compliance with the request of the General Assembly, consultations are now being undertaken with member States of the Asian region for the holding of the seminar in Colombo, Sri Lanka. In planning future seminars under this programme, the Secretary-General will also be mindful of the suggestions expressed by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities at its thirty-third session, that seminars should be held to discuss questions related to specific human rights problems such as debt bondage, the writ of habeas corpus and the independence and impartiality of the judiciary.

## III. FELLOWSHIPS AND TRAINING COURSES

### A. Fellowships: extent of participation in 1980 programme, nature of awards and programme for 1981

10. Under the terms of General Assembly resolution 926 (X), human rights fellowships are available to qualified candidates nominated by Member States who are planning to study any subject in the field of human rights which is of concern to the United Nations (as defined in United Nations covenants, declarations and resolutions with regard to universal respect of human rights and fundamental freedoms) provided, however, that the subject is not one that falls within the scope of other existing technical assistance programmes or one for which adequate advisory assistance is available through a specialized agency.

11. In the selection of candidates, preference is given to persons having direct responsibilities in the field of the implementation of human rights in their respective countries.

12. In 1980 the Secretary-General received 60 governmental nominations for individual human rights fellowships. The Secretary-General has attempted to ensure a broad distribution of the fellowships among the nationalities of the applicants. With the financial resources available, recommendations were made for the award of 25 individual fellowships to candidates from 25 different countries (see annex).

13. Candidates nominated by Governments in 1980 continued to be of a high level in terms of their qualifications. The recipients of fellowship awards included, in particular, government officials with responsibility for the administration of justice and for drafting legislation, as well as other officials of ministries of justice, education, foreign affairs and the interior, and officials of the police departments.

14. In 1981, the Secretary-General will continue to provide human rights fellowships, within the available financial resources, as appropriate.

#### B. Training courses

15. Owing to the limited funds available, no training course was held in 1980. Depending on the availability of funds, the Secretary-General will explore with interested Governments the possibility of organizing training courses on human rights in 1981, and future years in accordance with Commission on Human Rights resolution 17 (XXIII) and Economic and Social Council resolution 1978/14.

#### IV. ADVISORY SERVICES OF EXPERTS

16. In accordance with General Assembly resolution 926 (X) the programme of advisory services also provides for the advisory services of experts in the field of human rights. Since the inception of the programme in 1956 only a few Governments have availed themselves of these expert services. The Secretary-General wishes to inform the Commission that, depending on the availability of funds, this component of the advisory services programme is still in existence and that he would welcome the interest of Member States in this regard.

Annex

## RECIPIENT COUNTRIES AND THE TOPICS OF STUDY OF THEIR RESPECTIVE FELLOWS

Country	Topic of Study
Afghanistan	Protection of human rights in the drafting and implementation of legislation, with special reference to criminal law and procedure
Bangladesh	Protection of human rights in the administration of justice
Comoro	Judicial organization and administration in relation to the protection of human rights
Cuba	The role of non-governmental organizations in the promotion of human rights within the United Nations system
Cyprus	The protection of human rights in criminal procedure
Czechoslovakia	Implementation of the International Covenants on Human Rights
Ecuador	Protection of human rights in a multinational society
Ethiopia	The protection of human rights in criminal procedure, with special reference to the role of the public prosecutor
Gabon	Protection of the rights of the child, with special reference to the rights of children of refugees
Italy	Protection of human rights in the drafting and implementation of legislation, with special reference to methods of implementation at the national level of international conventions on human rights, with regard to both law and practice
Jamaica	The rôle of ombudsman and related institutions in relation to the protection of the rights of the citizen
Malaysia	Protection of human rights in preliminary investigation and pre-trial proceedings, with special emphasis on legal representation
Mauritius	Protection and promotion of human rights by Government and in the administration of justice
Morocco	Protection of human rights in the drafting and implementation of legislation, with special reference to methods of intergrating women in the process of economic and social development

Country	Topic of Study
Nepal	Protection of human rights in the administration of justice
Pakistan	Protection of human rights in the administration of justice, with special reference to civil law and procedure
Rwanda	Methods of taking due account of the requirements in respect of human rights in the formulation of legislation and government decrees and regulations
Sweden	The implementation of international covenants on human rights, with special reference to the provisions relating to education
Syria	Protection of human rights in the administration of justice
Tanzania	The role of the police in the protection of human rights
Thailand	Juridical protection against maladministration
Ukrainian SSR	Human environment and human rights
People's Democratic Republic of Yemen	Protection of human rights in preliminary investigation and pre-trial proceedings, with special reference to legal representation
Zaire	Protection of human rights in the administration of justice, with special reference to criminal law and procedure
Zambia	The protection of human rights in the administration of justice, with special reference to civil law and procedure