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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 1981 THAT AFFECT THE ADVISORY SERVICES PROGRAMME IN THE
FIELD OF HUMAN RIGHTS

A. Commission on Human Rights (thirty-seventh session): Economic and Social Council
(first regular session, 1981)

1. The Commission on Human Rights at its 1640th meeting on 12 March 1981, adopted without a vote decision 8 (XXXVII) ^{1/} by which it decided to take note of the report of the Secretary-General on advisory services in the field of human rights contained in document E/CN.4/1445.

2. In connection with its consideration of the item "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 the developing countries face in their efforts to achieve these human rights" the Commission adopted, at its 1639th meeting on 11 March 1981, resolution 36 (XXXVII) by which it, inter alia, requested the Secretary-General "to hold at the Headquarters of the United Nations within the framework of the advisory services programme the seminar on the relations that exist between human rights, peace and development, to be held in August 1981 as decided by General Assembly resolution 35/174 of 15 December 1980 and to give priority in its programme to the items mentioned in the annex to the present resolution". In connection with this seminar, attention is drawn to paragraph 9 of the present report.

^{1/} See Official Records of the Economic and Social Council, 1981, Supplement No. 5 (E/1981/25), chap. XXVIII, sect. B.

3. At the same session, the Commission adopted resolutions 15 (XXXVII) and 30 (XXXVII) in connection with its consideration of the item on "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories". In those resolutions the Secretary-General was requested to provide advisory services and other forms of appropriate assistance to help the Government of the Central African Republic and the Government of Uganda in taking appropriate measures to continue to guarantee the exercise of human rights and fundamental freedoms in those countries. Subsequently, the Economic and Social Council approved the resolutions, at its first regular session in 1981.

4. In compliance with the request of the Commission on Human Rights and the Economic and Social Council, the Secretary-General has been in communication with the Government of Uganda and the Government of the Central African Republic, calling their attention to the resolutions and requesting them to specify the nature of the assistance required, such as expert-services, legal advice or any other form of assistance, so as to facilitate the provision of the advisory services. The Secretary-General wishes to inform the Commission that so far no reply has been received from either Government.

B. General Assembly (thirty-sixth session)

5. The General Assembly, by its resolution 36/234A, appropriated funds for the biennium 1982-1983 for the technical assistance programme including funds for the programme of advisory services in the field of human rights.

6. It will be recalled that the General Assembly adopted at its thirty-fifth session resolution 35/197 in which it welcomed with appreciation the offer made by the Government of Sri Lanka to be host to 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 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 General Assembly at its thirty-sixth session of the deliberations of the seminar.

7. In response to this request, the Secretary-General prepared a report (A/36/355) in which he informed the General Assembly that, subject to finalization of the consultations which were still continuing, it had been decided to defer the holding of the seminar to 1982. The Secretary-General expects to be in a position to inform the General Assembly at its thirty-seventh session of the deliberations of the seminar.

8. Following consideration of the Secretary-General's report the General Assembly, at its thirty-sixth session, adopted resolution 36/154 in which it noted with satisfaction that consultations were held with member States of the Asian region with a view to the holding of a seminar at Colombo to consider appropriate arrangements for the promotion and protection of human rights in the region, and requested the Secretary-General to organize that seminar in 1982 and to report to the General Assembly at its thirty-seventh session on the deliberations of the seminar.

II. SEMINARS

9. The seminar, referred to in paragraph 2 of the present report, on the relations that exist between human rights, peace and development was held in New York, at the headquarters of the United Nations, from 5 to 14 August 1981. The seminar, which was organized on a world-wide basis, recommended among other things that its report (ST/HR/SER.A/10) be submitted for information to the General Assembly at its thirty-sixth session, to the Commission on Human Rights, the Commission on the Status of Women and to the Working Group on the Right to Development of the Commission on Human Rights, as well as to the Working Group of the Economic and Social Council on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

10. As mentioned in paragraphs 7 and 8 of the present report, it has been decided to defer until 1982 the holding of the seminar to consider appropriate arrangements for the promotion and protection of human rights in the Asian region. Preparations for the seminar which, at the invitation of the Government of Sri Lanka, will be held in Colombo are under way.

11. In planning future seminars under the programme of advisory services the Secretary-General will take into account the relevant resolutions and decisions adopted by the General Assembly, the Economic and Social Council, the Commission on Human Rights and other United Nations bodies dealing with human rights, and also the suggestions made in this regard by these organs in the course of their deliberations.

III. FELLOWSHIPS AND TRAINING COURSE

A. Fellowships: extent of participation in the 1981 programme, nature of awards and programme for 1982

12. 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. 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.

13. In 1981, the Secretary-General received 70 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 29 individual fellowships to candidates from 29 different countries (see annex).

14. Candidates nominated by Governments in 1981 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.

15. In 1982, the Secretary-General will continue to provide human rights fellowships, within the available financial resources, as appropriate.

B. Training course

16. In 1981, at the invitation of the Government of Australia, a regional training course on human rights guarantees in the administration of criminal justice was held at the Australian Institute of Criminology in Canberra, Australia, from 30 November to 18 December 1981. The course was designed to familiarize senior and experienced officials responsible for various aspects of the administration of criminal justice in their respective countries with relevant legislation and administrative procedures in other parts of the region and to provide an opportunity for an exchange of views on the law and practice relating to the protection of human rights in criminal procedures in those countries. The training course consisted of lectures, seminars, group discussion, and visits to local institutions dealing with the subject of the course. It was attended by 17 participants nominated by the following States members of the Economic and Social Commission for Asia and the Pacific: Afghanistan, Australia, Bangladesh, Bhutan, Fiji, India, Indonesia, Japan, Nepal, New Zealand, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Solomon Islands, Sri Lanka, Thailand and Tonga.

17. Depending on the availability of funds the Secretary-General will explore with interested Governments the possibilities of organizing regional training courses on human rights in future years, in accordance with Commission on Human Rights resolution 17 (XXIII).

IV. ADVISORY SERVICES OF EXPERTS

18. 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

1981 HUMAN RIGHTS FELLOWSHIP PROGRAMME

RECIPIENT COUNTRIES AND THE TOPICS OF STUDY OF THEIR FELLOWS

Country	Topic of study
1. Algeria	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
2. Benin	The protection of the right of women and children, with particular reference to the protection of these rights in the administration of justice in family or other courts
3. Burundi	Implementation of the civil, political, economic, social and cultural rights contained in the international covenants on human rights
4. Cape Verde	Protection of human rights in the administration of justice with special reference to civil law and procedure
5. Central African Republic	Measures to safeguard the human rights of refugees, in particular those in Africa
6. China	Protection of human rights in a multinational society
7. Colombia	Protection of human rights through the development and application of consular functions
8. Congo	Local and national institutions for the promotion and protection of human rights
9. Costa Rica	Human rights and human environment
10. Greece	Elimination of all forms of discrimination against women
11. Haiti	Local and national institutions for the protection of human rights in the developing countries
12. Italy	Measures to safeguard the human rights of refugees
13. Jordan	Protection of human rights in the administration of justice
14. Mali	Protection of human rights in the administration of justice
15. Mongolia	Human rights and environment

Country	Topic of study
16. Nicaragua	Local and national institutions for the protection of human rights in the developing countries and their practical application in society
17. Panama	Local and national institutions for the protection of human rights in the developing countries
18. Peru	Protection of human rights in the administration of justice and after trial
19. Portugal	The education of youth in the respect for human rights
20. Romania	Human rights and scientific and technological development
21. Senegal	Protection of human rights in preliminary investigation and pre-trial proceedings
22. Singapore	Protection of human rights in criminal procedure
23. Sri Lanka	Feasibility and methodology of introducing teaching of human rights at University level
24. Sudan	Protection of human rights of immigrant and resident aliens
25. Syrian Arab Republic	Human rights and the promotion of freedom of information
26. Union of Soviet Socialist Republics	Human rights and legal aspects of refugees' problems with special reference to current development
27. Viet Nam	Measures to safeguard the human rights of refugees
28. Yemen Arab Republic	Methods of taking due account of the requirements in respect of human rights in the formulation of legislation, government decrees and regulations
29. Yugoslavia	Implementation of the International Covenant on Economic, Social and Cultural Rights