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METHODS USED BY THE UNITED NATIONS IN THE FIELD OF HUMAN RIGHTS

Supplement to the study prepared by the Secretary-General

The study on Methods used by the United Nations in the field of human rights (A/CONF.32/6) was issued in June 1967. The Secretary-General has the honour to submit herewith a supplement to the study bringing it up to date as of 31 December 1967.

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Action of the Economic and Social Council on questions of the consultative status of non-governmental organizations

1. The following should be inserted after paragraph 54:

54a. In its resolution entitled "Non-Governmental Organizations: Application and Re-Application for Consultative Status", adopted by the Economic and Social Council at its forty-second session (May-June 1967) the Council requested the Committee on Non-Governmental Organizations, inter alia, to review the criteria laid down in its resolution 288 B (X) governing the admission of non-governmental organizations to consultative status, to re-define the precise requirements for each category and to give consideration to the formulation of rules which would provide for the suspension or possibly the withdrawal of consultative status from organizations failing to live up to the principles applied in the establishment of consultative relations. The Committee on Non-Governmental Organizations was also asked to request non-governmental organizations in consultative status to submit information on their current activities and their sources for financing such activities. Among further requests addressed to the Committee on Non-Governmental Organizations was the request to review the nature and activities of each non-governmental organization with a view to recommending re-classification where advisable and to review in particular whether non-governmental organizations in consultative status were subject to undue influence by Member States.^{29a/}

Amendments to the rules of procedure of the Economic and Social Council

2. The following should be added to foot-note 30 relating to paragraph 55 of the study: Further amendments to the rules of procedure of the Economic and Social Council were decided upon at the 1471st meeting of the Council held on 29 May 1967 (Economic and Social Council Official Records, Forty-second Session, Supplement No. 1, pp. 30-31).

Changes in the composition of the Commission on Human Rights

3. The following should be inserted after paragraph 86:

86a. As from 1 January 1968, the Commission on Human Rights consists of the following Member States of the United Nations (the name of the designated

^{29a/} Resolution of the Economic and Social Council 1225 (XLII) of 6 June 1967.

representative of each State is given in parentheses): Argentina
(Mr. José Maria Ruda), Austria (Mr. Felix Ermacora), Chile
(Mr. Jaime Castillo Velasco), Dahomey (Mr. Maxime Zollner), Democratic Republic
of the Congo (Mr. Simon Ilako), France (Mr. René Cassin), Greece
(Mr. Petros Papadatos), Guatemala (Miss Ana Maria Vargas Dubón), India
(Mrs. Tarakeshwari Sinha), Iran (H.I.H. Princess Ashraf Pahlavi), Israel
(Mr. Shabtai Rosenne), Italy (Mr. Giuseppe Sperduti), Jamaica (Mr. Keith Johnson),
Lebanon (Mr. Philippe Takla), Madagascar (Mr. Jules Ratsisalozafo), Morocco
(Mr. Ahmed Kettani), New Zealand (Mr. R.Q. Quentin-Baxter), Nigeria
(Mr. S.D. Adebisi), Pakistan (Mr. Mujibur Rahman Khan), Peru
(Mr. Luis Marchand Stens), Philippines (Mr. Salvador P. Lopez), Poland
(Mr. Zbigniew Resich), Senegal (Mr. Ibrahima Boye), Sweden (Mr. Love Kellberg),
Ukrainian SSR (Mr. P.E. Nedbailo), USSR (), United Arab Republic
(Mr. Soliman Ahmed Huzayyin), United Kingdom (Sir Samuel Hoare), United Republic
of Tanzania (Mr. W.E. Waldron-Ramsey), United States of America
(Mr. Morris B. Abram), Venezuela (), Yugoslavia
(Mr. Branimir M. Jankovic).

Amendments to the rules of procedure of Functional Commissions

4. The following should be inserted after paragraph 89:

89a. Further amendments of the rules of procedure of the Functional
Commissions of the Economic and Social Council were adopted at the forty-second
session of the Economic and Social Council. ^{36a/}

5. The following should be inserted after paragraph 99:

99a. At the forty-second session of the Economic and Social Council the rules
of procedure of the Functional Commissions were amended to the effect that they
now provide for the election of a Chairman and one or more Vice-Chairmen. ^{40a/}

Changes in the procedure for the Examination of Periodic Reports

6. The following should be inserted after paragraph 133:

133a. At its forty-second session in May-June 1967, the Economic and Social
Council decided that as a consequence of resolution 16 (XXIII) of the Commission

^{36a/} Resolution of the Economic and Social Council 1231 (XLII) of 6 June 1967.

^{40a/} Resolution of the Economic and Social Council 1231 (XLII) of 6 June 1967.

on Human Rights the initial study of periodic reports by the Sub-Commission on Prevention of Discrimination and Protection of Minorities had been rendered unnecessary. 50a/

Changes in the composition of the Commission on the Status of Women

7. The following should be inserted after paragraph 142:

142a. As from 1 January 1968, the Commission on the Status of Women consists of representatives of the following Member States of the United Nations (the name of the designated representative of each State is given in parentheses): Australia (Dame Mabel Miller); Byelorussian SSR (Mrs. Luybov Prokofevna Marinkevich); Chile (Mrs. Mimi Marinovic de Jadresic); Cyprus (Mr. Clanthis Vakis); Dominican Republic (Mrs. Licelott Marte de Barrios); Finland (Mrs. Helvi L. Sipilä); France (Miss Jeanne Chaton); Ghana (Mrs. Annie Jiagge); Guatemala (Mrs. Ruth de Garcia); Guinea (Mrs. Tguidanque Soumah); Honduras (Mrs. Luz Bertrand de Bromley); Hungary (Mrs. Anna Bokor); Iran (Mrs. Effat Navhi); Iraq (Mrs. Suad Al-Radi); Japan (Mrs. Yoko Nuita); Liberia (Mrs. Eugenia A. Stevenson); Madagascar (Mrs. Ramarosaona); Malaysia (Mrs. Aishah Binte Haji Ghani); Mauritania (Miss Mint Sidi El Moctar Mariem); Mexico (Miss Maria Lavallo Urbina); Netherlands (Miss Dr. J.C.H.H. de Vink); Peru (Mrs. Eva Maria Robertson de Otayza); Philippines (Miss Helena Z. Benitez); Poland (Mrs. Zofia Dembinska); Spain (Miss Carmen Salinas); Tunisia (Mrs. Souad Chater); Turkey (Mr. Argun Özer); USSR (Mrs. T.N. Nicholaeva); United Arab Republic (Mrs. Aziza Hussein); United Kingdom (Dr. Shirley Summerskill); United States (Mrs. Gladys A. Tillett).

8. The following foot-note should be added to the first sentence of paragraph 150:

51a/ For the amendment of the relevant rules of procedure, see paragraphs 4 and 5 above.

Continuation of the Office of the United Nations High Commissioner for Refugees

9. The following should be added to foot-note 55 relating to paragraph 171:

By resolution 2294 (XXII) of 11 December 1967, the General Assembly decided that the Office of the United Nations High Commissioner for Refugees be further continued for a period of five years from 1 January 1969.

10. The following should be inserted after paragraph 196:

196a. In resolution 237 (1967) adopted on 15 June 1967 in connexion with the conflict in the Middle East, the Security Council proclaimed the necessity of respect for essential and inalienable human rights even during the vicissitudes of war. It also called for the scrupulous respect for the humanitarian principles embodied in the Geneva Conventions of 1949 governing the treatment of prisoners of war and the protection of civilian persons in time of war.

Accession of Nauru to independence

11. The following should be added to foot-note 62 relating to paragraph 199:

At its twenty-second session the General Assembly resolved that the Trusteeship Agreement for Nauru should cease to be in force upon the accession to independence by Nauru on 31 January 1968.

Adoption of two new Declarations by the General Assembly

12. The following should be inserted after paragraph 365:

Declaration on the Elimination of Discrimination Against Women (1967)
Declaration on Territorial Asylum (1967)

13. The following should be deleted from foot-note 116 relating to paragraph 365 of the study: Draft Declaration on the Right of Asylum and the Draft Declaration on the Elimination of Discrimination Against Women.

14. The following should be inserted after paragraph 371:

371a. The Declaration on the Elimination of Discrimination Against Women is due to the initiative of the General Assembly.

371b. The Declaration on Territorial Asylum is due to the initiative of the Commission on Human Rights.

Reference to Changes in the Procedure concerning Periodic Reports

15. The following should be inserted after paragraph 418:

418a. As already indicated in paragraph 6 (133a) of the present Supplement, the Economic and Social Council decided, as recommended by the Commission on Human Rights, that the initial study of periodic reports by the Sub-Commission on Prevention of Discrimination and Protection of Minorities as provided for in paragraph 15 of the Economic and Social Council resolution 1074 C (XXXIX) had been rendered unnecessary.

Proceedings concerning contemplated changes in regard to the functions of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities

16. The following should be inserted after paragraph 483:

483a. On 4 March 1966, acting upon the initiative of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Economic and Social Council invited the Commission on Human Rights to consider as a matter of importance and urgency 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 and to submit to the Council its recommendations on measures to halt these violations. ^{173a/} The Commission considered the question at its twenty-second session in 1966 and in its resolution 2 (XXII), part B, ^{173b/} the Commission informed the Council that, in order to deal completely with the question of violations of human rights in all countries, it would be necessary for the Commission to consider fully the means by which it might be more fully informed of violations of human rights with a view to devising recommendations for measures to halt them. The Economic and Social Council concurred in the Commission's view ^{173c/} and the General Assembly invited the Council and the Commission to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they might occur. ^{173d/}

483b. At its twenty-third session in 1967 the Commission on Human Rights undertook a comprehensive examination of the problems involved in giving effect to the directives it had received from the General Assembly and the Economic and Social Council. ^{173e/} By resolution 6 (XXIII) the Commission set up an Ad Hoc Study

^{173a/} Resolution of the Economic and Social Council 1102 (XL) of 4 March 1966.

^{173b/} Report on the twenty-second session of the Commission on Human Rights, Economic and Social Council Official Records, Forty-first Session, Supplement No. 8 (E/4184), paragraph 222.

^{173c/} Resolution of the Economic and Social Council 1164 (XLI) of 5 August 1966.

^{173d/} General Assembly resolution 2144 (XXI) of 26 October 1966.

^{173e/} Report on the twenty-third session of the Commission on Human Rights, Economic and Social Council Official Records, Forty-second Session, Supplement No. 6 (E/4322), resolutions 5 (XXIII), 6 (XXIII), 7 (XXIII), 8 (XXIII) and 9 (XXIII).

Group to study in all its aspects the proposal to establish regional commissions on human rights within the United Nations family. In operative paragraph 2 of resolution 9 (XXIII) it instructed the same Study Group to study in all its aspects the question of the ways and means by which the Commission might be enabled or assisted to discharge functions in relation to violations of human rights whilst maintaining and fulfilling its other functions. By resolution 7 (XXIII) the Commission decided to appoint a Special Rapporteur to survey United Nations past action in its efforts to eliminate apartheid and to study the legislation and practices in South Africa, South West Africa and Southern Rhodesia instituted to establish and maintain apartheid, racial discrimination and related phenomena.

483c. In its resolution 8 (XXIII) the Commission requested the Economic and Social Council to authorize the Commission and the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine information relevant to gross violations of human rights contained in communications concerning human rights listed pursuant to Council resolution 728 F (XXVIII).^{173f/} In the same resolution the Commission further requested authority, in appropriate cases, and after careful consideration of the information thus made available to it, to make a thorough study and investigation of situations revealing a consistent pattern of violations of human rights. In operative paragraph 1 of resolution 9 (XXIII) the Commission recommended that the Council should confirm the inclusion in the terms of reference of the Commission of "the power to recommend and adopt general and specific measures to deal with violations of human rights".

483d. At its forty-second session in May/June 1967 the Economic and Social Council took positive action on most of the recommendations of the Commission on Human Rights referred to in the preceding paragraph of this Supplement. In resolution 1235 (XLII) the Council ncted resolution 8 (XXIII) of the Commission on Human Rights and granted to the Commission and the Sub-Commission the authority which it had requested in that resolution, i.e. to examine information relevant to gross violations of human rights and fundamental freedoms as exemplified by the policy of apartheid as practised in the Republic of South Africa and in the Territory of South West Africa under the direct responsibility of the United

^{173f/} The procedure for dealing with communications concerning human rights is described in paragraphs 464 to 481 of the Main Study of Methods.

Nations and now illegally occupied by the Government of the Republic of South Africa, and to racial discrimination as practised notably in Southern Rhodesia, contained in the communications listed by the Secretary-General pursuant to Council resolution 728 F (XXVIII). The Council also decided that the Commission on Human Rights might, in appropriate cases, and after careful consideration of the information thus made available to it, make a thorough study of situations revealing a consistent pattern of violations of human rights as exemplified by the policies of apartheid and racial discrimination referred to in the preceding paragraph. The Economic and Social Council also decided to review these provisions after the entry into force of the International Covenants on Human Rights.^{173g/} As far as the part of the Commission's resolution 9 (XXIII) is concerned in which the Commission recommended that the Council should confirm the inclusion in the terms of reference of the Commission of the power to recommend and adopt general and specific measures to deal with violations of human rights, the Council did not at that stage take action on this recommendation apart from noting the resolution.

483e. On the basis of the authorization granted to it by Council resolution 1235 (XLII) the Sub-Commission on Prevention of Discrimination and Protection of Minorities in the report on its twentieth session (September-October 1967) noted that, despite the repeated appeals and condemnations voiced by the various organs of the United Nations, flagrant violations of human rights were still being committed in a number of cases.

483f. The Sub-Commission also drew the attention of the Commission on Human Rights to some particularly glaring examples of situations which revealed consistent patterns of violations of human rights and regarding which the Sub-Commission had expressed its unanimous views in the course of its discussions. Two such examples were listed in the Sub-Commission's resolution.

483g. The Sub-Commission recommended that the Commission on Human Rights establish a Special Committee of Experts similar to the Working Group which was established by resolution 2 (XXIII) of the Commission on Human Rights, to investigate charges of torture and ill-treatment of prisoners, detainees or persons in police custody in South Africa, the establishment and work of which is described in paragraph 20 (672a) of the present Supplement. The Sub-Commission further

^{173g/} Resolution of the Economic and Social Council 1235 (XLII) of 6 June 1967.

recommended that the Commission authorize the Special Committee of Experts: to consider the situations listed in paragraphs 483e and 483f above; to use such modalities of procedure as it may deem appropriate; to receive communications and hear witnesses as necessary; and to consider comments received from the Governments concerned. 173h/

Allegations of infringements of trade union rights in South Africa

17. The following should be inserted after paragraph 500:

500a. At its forty-second session the Economic and Social Council decided to transmit a communication containing allegations concerning infringement of trade union rights in a Member State of the United Nations, a non-member of the ILO, referred to in paragraph 500 (Republic of South Africa), and such comments thereon as might be received from the Government concerned, to the Ad Hoc Working Group of Experts which the Commission on Human Rights had established by its resolution 2 (XXIII) to investigate charges of torture and ill-treatment of prisoners, detainees or persons in police custody in the Republic of South Africa. 191a/

It authorized the Ad Hoc Working Group to receive communications and hear witnesses as necessary in its examination of the allegations regarding infringements of trade union rights in South Africa. 191b/

18. The following should be inserted after paragraph 539:

K. International machinery for the administration of South West Africa

539a. Having assumed direct responsibility for the Territory of South West Africa by its resolution 2145 (XXI) of 27 October 1966, the General Assembly, by its resolution 2248 (S-V) of 19 May 1967, established a United Nations Council for South West Africa consisting of eleven Member States to administer South West Africa until independence. The General Assembly also decided that the Council for South West Africa should entrust such executive and administrative tasks as it deemed necessary to a United Nations Commissioner for South West Africa. On the proposal of the Secretary-General, the General Assembly appointed the Legal Counsel

173h/ Report of the twentieth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, E/CN.4/947, para. 95.

191a/ See below paragraph 20 (672a).

191b/ Resolution of the Economic and Social Council 1216 (XLII) of 1 June 1967.

of the United Nations as Acting United Nations Commissioner for South West Africa. 215a/ At the twenty-second session, the General Assembly agreed, without a vote, that the Acting Commissioner should continue to serve until the General Assembly appointed a Commissioner. 215b/

Action in regard to Advisory Services in Human Rights

19. The following should be inserted after paragraph 586:

586a. In the course of its forty-second session, the Economic and Social Council expressed its agreement with the action taken by the Commission on Human Rights as described in paragraph 586 and, inter alia, agreed that the Governing Council of the United Nations Development Programme should bear in mind resolution 17 (XXIII) of the Commission on Human Rights in considering the recommendations to the Economic and Social Council relating to budgetary appropriations for the activities concerned. 253a/

20. The following should be inserted after paragraph 670:

670a. At its twenty-second session the General Assembly decided to integrate the special educational and training programmes for South West Africa and for Territories under Portuguese administration and the educational and training programme for South Africans. It further decided to include in the programme, subject to certain requirements set out in the resolution, assistance to persons from Southern Rhodesia. The General Assembly also decided that the integrated programme should be financed from a trust fund made up of voluntary contributions, and authorized the Secretary-General to appeal to Member States of the United Nations and members of the specialized agencies for funds. 307a/

215a/ For the first report of the United Nations Council for South West Africa see document A/6897 of 10 November 1967; see also General Assembly resolution 2325 (XXII) of 16 December 1967.

215b/ A/PV.1635 of 16 December 1967.

253a/ Economic and Social Council Official Records, Forty-second Session, Supplement No. 1, E/4393, page 31 (decision taken at the 1479th meeting of the Council of 6 June 1967).

307a/ General Assembly resolution 2349 (XXII) of 19 December 1967.

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21. The following should be inserted after paragraph 672:

- X. Establishment of an Ad Hoc Working Group of Experts to investigate the charges of torture and ill-treatment of prisoners, detainees or persons in police custody in South Africa

672a. By resolution 2 (XXIII) the Commission on Human Rights established an Ad Hoc Working Group of Experts, inter alia, to investigate the charges of torture and ill-treatment of prisoners, detainees or persons in police custody in South Africa. The Economic and Social Council welcomed this decision in its resolution 1236 (XLII) of 6 June 1967. The first report of the Ad Hoc Working Group is contained in document E/CN.4/950 of 27 October 1967. In this comprehensive report, which is divided into fourteen chapters, the Ad Hoc Working Group of Experts reported among other things on the procedures which it had adopted which included the hearing of twenty-five witnesses (chapters III and VII of the report); the international standards relating to the treatment of prisoners, detainees and persons in police custody (chapter IV); the position taken by the Government of South Africa (chapter V). The report also dealt with certain relevant laws of the Republic of South Africa (chapter VI) and contained general comments on the testimony and documents examined by the Working Group (chapter VIII). The Working Group dealt with torture and cruel, inhuman and degrading treatment inflicted upon prisoners, detainees and persons in police custody during interrogation and during detention in prison (chapter IX) and evaluated the remedies available in South Africa (chapter X). The report also contains an analysis by the Ad Hoc Working Group of the evidence (chapter XI) and is followed by conclusions (chapter XII) and recommendations (chapter XIII).

Venue of the Seminar on Apartheid, Racial Discrimination and Colonialism in southern Africa

22. The following should be inserted after paragraph 683:

683a. The Seminar referred to in paragraph 683 was held in Kitwe, Zambia.
