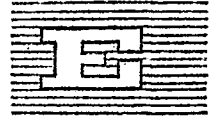


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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities

Thirty-fifth session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF PERSONS SUBJECTED
TO ANY FORM OF DETENTION OR IMPRISONMENT

Written statement submitted by the World Association for the School
as an Instrument of Peace, a non-governmental organization in
consultative status, roster

1. In resolution 8 (XXX) the Sub-Commission requested the Secretariat to prepare a detailed analysis of the information received from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations (synopses) during the first three annual reviews of the question of the human rights of persons subjected to any form of detention or imprisonment.
2. In its excellent analysis (E/CN.4/Sub.2/409, p. 26, thirty-first session, 1978) the Secretariat pointed out, inter alia, that in several countries the legislation governing the conditions of detention of persons detained or imprisoned was in conformity with the Standard Minimum Rules for the Treatment of Prisoners.
3. These Rules provide for certain important educational measures for detainees and prisoners:

Rule 39, for example, provides that: "Prisoners shall be kept informed regularly of the more important items of news ... by hearing wireless transmissions, by lectures";

Rule 40 provides that: "Every institution shall have a library ... and prisoners shall be encouraged to make full use of it";

Rule 77 provides that: "The education of illiterates and young prisoners shall be compulsory".
4. The detailed analysis prepared by the Secretariat also indicated that "Most of the regulations on the treatment of prisoners include, in particular, as in Egypt and New Zealand, reasonable provisions for ensuring the ... education ... of prisoners. In the Libyan Arab Jamahiriya, education is compulsory for illiterate prisoners ...".

5. The analysis reflected the view of UNESCO that "further thought should be given to machinery for providing a genuine guarantee, in prison and in situations of exceptional danger, of the right to education and culture" (E/CN.4/Sub.2/409, para. 148).

6. This organization suggests that the Sub-Commission should request UNESCO to communicate to it the information at its disposal concerning the right to education and culture of detainees or prisoners. This would usefully complement the information customarily communicated by UNESCO (see, for this year, E/CN.4/Sub.2/1982, 13, para. 99) under item 10 of the Sub-Commission's agenda. A similar request might be addressed to the ICRC.

7. This organization also considers that a study, such as the detailed analysis prepared by the Secretariat in 1978, might be very useful for the members of the Working Group on Detention, for the Sub-Commission and for all the Governments and organizations concerned. It therefore suggests that the Secretariat should be requested to undertake a comparable study of all the information received since the 1978 study up to the time of the Sub-Commission's thirty-fifth session, also taking into account the replies of UNESCO and the ICRC and attaching particular importance to the question of the right to education and culture. The study might concern itself in particular with the specific situation of minor and women prisoners.

8. Such a study would have the additional value of informing the members of the Working Group and the Sub-Commission of the provisions of the various bodies of legislation and of the interpretation given by the organs of the European Convention and American Convention on Human Rights and by the United Nations Human Rights Committee concerning the time-limit within which an arrested person must be brought before a competent authority for a decision whether a charge should be brought against him or whether he should be released.