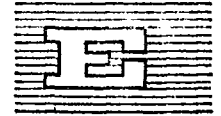


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1262/Add.1
6 January 1978

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Thirty-fourth session
6 February-10 March 1978

ANNOTATIONS TO THE PROVISIONAL AGENDA

prepared by the Secretary-General

1. Election of officers

Rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council provides that at the commencement of its first meeting of a regular session the Commission shall elect, from among the representatives of its members, a Chairman, one or more Vice-Chairmen and such other officers as may be required.

2. Adoption of the agenda

Rule 7 of the rules of procedure provides that the Commission shall at the beginning of each session, after the election of its officers, adopt the agenda for that session on the basis of the provisional agenda.

The Commission will have before it the provisional agenda (E/CN.4/1262) prepared by the Secretary-General in accordance with rule 5 of the rules of procedure on the basis of the draft provisional agenda which was examined and noted by the Commission at its thirty-third session in compliance with Economic and Social Council resolution 1894 (LVII). The Commission will also have before it the present annotations relating to the items included in the provisional agenda (E/CN.4/1262/Add.1).

It may be recalled that in response to Economic and Social Council decision 65 (ORG-75), requesting the Commission, when adopting its agenda, to limit the provision of summary records to those items in relation to which such records were deemed essential, the Commission, by its decision 3 (XXXI) of 5 February 1975, decided that, beginning with its thirty-second session, it would dispense with summary records for all procedural matters, retaining summary records only for discussions on questions of substance.

3. Organization of the work of the session

The attention of the Commission is drawn to certain decisions of the Economic and Social Council relating to the procedures and methods of work of the Council and its subsidiary bodies (E/INF/134/Rev.1).

It may be noted that the Council decided on 18 May 1973 that its subsidiary organs, with the exception of the regional economic commissions, may not create either standing or ad hoc intersessional subsidiary bodies without prior approval by the Council.

It may also be noted that in accordance with Council resolution 1623 (LI) of 30 July 1971, resolutions adopted by the Commission should normally be in the form of drafts for approval by the Council and that according to a decision by the Council on 28 July 1972, preambular paragraphs of resolutions should be concise and should not be too numerous, and action should be taken by decision rather than by the adoption of a resolution, whenever that procedure may expedite the work.

In its decision 65 (ORG-75) the Council requested all its subsidiary bodies to exercise the utmost restraint in making requests to the Secretary-General for new reports and studies.

4. Question of the violation of human rights in the occupied Arab territories, including Palestine

By resolution 1 A (XXXIII) of 15 February 1977, the Commission decided to place this item on the provisional agenda of its thirty-fourth session as a matter of high priority.

In accordance with paragraphs 8, 11 and 12 of resolution 1 A (XXXIII), the Commission will have before it:

- (i) A report of the Secretary-General containing relevant information concerning Arabs detained or imprisoned as a result of their struggle for self-determination and the liberation of their territories (E/CN.4/1263);
- (ii) A report of the Secretary-General on the measures taken to bring that resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, the regional intergovernmental organizations and the international humanitarian organizations and to give it the widest possible publicity (E/CN.4/1264);
- (iii) A note by the Secretary-General listing all United Nations reports issued since the thirty-third session of the Commission that deal with the situation of civilians in the occupied Arab territories, including Palestine (E/CN.4/1265).

It may be noted that by resolution 2085 (XLII) of 13 May 1977 the Economic and Social Council, having considered the report of the Commission on Human Rights on its thirty-third session and having taken note of the Commission's action concerning the question of the violation by Israel of human rights in the occupied Arab territories, commended the Commission for its action and requested it to pursue its efforts for the protection of human rights in the occupied Arab territories and to continue to take appropriate measures in this respect.

The Commission may also note that the General Assembly, at its thirty-second session, adopted resolutions 32/91 A, B and C on 13 December 1977. By resolution 32/91 A, the Assembly reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 was applicable to all Arab territories occupied by Israel since 1967, including Jerusalem. By resolution 32/91 B the Assembly requested the Special Committee to complete its survey on all the aspects of the damage resulting from Israel's deliberate destruction of Quneitra and to report to it at its thirty-third session. By resolution 32/91 C, the Assembly requested the Special Committee to continue to investigate Israeli policies and practices, to consult, as appropriate, with the International Committee of the Red Cross and to report to the Secretary-General as soon as possible and whenever the need arose thereafter. The Assembly also requested the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967 and to submit to the Secretary-General a special report on that subject as soon as possible and whenever the need arose thereafter.

5. Study of reported violations of human rights in Chile, with particular reference to torture and other cruel, inhuman or degrading treatment or punishment

By resolution 9 (XXXIII) of 9 March 1977 the Commission decided to consider at its thirty-fourth session, as a matter of high priority, the question of violations of human rights in Chile.

In the same resolution, the Commission, at the invitation of the General Assembly in its resolution 31/124, extended the mandate of its Ad Hoc Working Group on Chile established under Commission resolution 8 (XXXI) to inquire into the present situation of human rights in Chile and requested the Group to report to the General Assembly at its thirty-second session and to the Commission on Human Rights at its thirty-fourth session with such additional information as might be necessary.

The Commission also requested the Secretary-General to invite Member States, United Nations agencies and international organizations to inform him of steps taken to contribute to the restoration and strengthening of human rights and fundamental freedoms in Chile in implementation of paragraph 4 of General Assembly resolution 31/124, and to report to the General Assembly at its thirty-second session and to the Commission at its thirty-fourth session.

Furthermore, the Commission requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities (i) to undertake a study on the consequences of the various forms of aid extended to the Chilean authorities and to present a progress report thereon to the Commission at its thirty-fourth session, and (ii) to analyse feasible ways to give humanitarian, legal and financial aid to those arbitrarily arrested or imprisoned, to those forced to leave the country and to their relatives, and to present specific proposals to the Commission at its thirty-fourth session.

In response to these requests the Sub-Commission by resolution 11 (XXX) of 31 August 1977 appointed one of its members, Mr. Antonio Cassese, as Rapporteur to prepare a study on the consequences of the various forms of aid extended to the Chilean authorities and requested him to submit a progress report to the Commission at its thirty-fourth session.

By the same resolution, the Sub-Commission recommended that a voluntary fund, administered under the authority of an independent board of trustees, should be established to receive contributions and distribute humanitarian, legal and financial aid to those detained or imprisoned in Chile under the state of siege and other emergency legislation, to those forced to leave the country and to their relatives; in this connexion the Sub-Commission requested the Secretary-General to prepare a report for the Commission at its thirty-fourth session.

By resolution 32/118 of 16 December 1977, the General Assembly invited the Commission to extend the mandate of the Ad Hoc Working Group, as presently constituted, so as to enable it to report to the General Assembly at its thirty-third session and to the Commission at its thirty-fifth session, with such additional information as might be necessary. The Commission was also invited to present to the General Assembly at its thirty-third session, through the Economic and Social Council, specific recommendations on possible humanitarian, legal and financial aid to those arbitrarily arrested or imprisoned, to those forced to leave the country and their relatives, as well as a progress report of action taken in compliance with paragraph 5 (c) of General Assembly resolution 31/124.

For the consideration of this item the Commission will have before it the following documents:

- (i) The report of the Ad Hoc Working Group submitted to the General Assembly in document A/32/227;
- (ii) The report of the Ad Hoc Working Group to the Commission (E/CN.4/1266);
- (iii) The report of the Secretary-General on the implementation of paragraph 4 of General Assembly resolution 31/124, submitted to the Assembly in document A/32/234;
- (iv) The report of the Secretary-General to the Commission on the same subject (E/CN.4/1268);
- (v) The progress report of the Rapporteur appointed by the Sub-Commission (E/CN.4/1267);
- (vi) The report of the Secretary-General containing suggestions relating to the establishment of a voluntary fund pursuant to Sub-Commission resolution 11 (XXX) (E/CN.4/1269).

In addition, the observations of the Government of Chile on the report of the Ad Hoc Working Group (A/C.3/32/6 and Corr.1) and a note by the Secretary-General (A/C.3/32/7), which were issued in connexion with the consideration by the General Assembly of the item entitled "Protection of human rights in Chile", will be available to the Commission, as well as the records of the consideration of the item at the thirty-second session of the General Assembly (A/32/PV.105 and A/C.3/32/SR.54, 56-64 and 72).

6. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts

The Commission will have before it the report of the Ad Hoc Working Group of Experts (E/CN.4/1270) prepared pursuant to Commission resolution 6 (XXXIII). In accordance with Economic and Social Council decision 236 (LXII) of 13 May 1977, the report also deals with allegations regarding infringements of trade union rights in South Africa.

The attention of the Commission is also drawn to the special report of the Group concerning the deaths of detainees and police brutality in South Africa since the Soweto massacre in June 1976 which was submitted to the General Assembly at its thirty-second session (A/32/226) at the request of the Chairman of the Special Committee against Apartheid. This report was prepared in response to Economic and Social Council resolution 2083 A (LXII) of 13 May 1977 by which the Council decided that the Ad Hoc Working Group of Experts, in conjunction with the Special Committee against Apartheid, should examine the treatment of prisoners in South Africa, Namibia and Zimbabwe, including the death of a number of detainees, as well as police brutality during peaceful demonstrations against apartheid in South Africa since the Soweto massacre of 16 June 1976, and report thereon. The Council also decided that the reports of the Group should be brought to the attention of the General Assembly without delay.

General Assembly resolutions 32/65 of 8 December 1977, entitled "Torture of political prisoners and detainees in southern Africa", and 32/119 of 16 December 1977, entitled "Assistance to South African student refugees", may be of interest to the Commission in its consideration of this item.

7. The adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa

By resolution 7 (XXXIII) of 4 March 1977 the Commission decided to place this question as a separate priority item on the agenda of its thirty-fourth session.

In the same resolution, the Commission, having considered the report of Mr. Ahmed Khalifa, requested the Sub-Commission and the Special Rapporteur to prepare the necessary material for a provisional general list identifying those individuals, institutions, including banks, and other organizations or groups, as well as representatives of States, whose activities constituted political, military, economic or other forms of assistance to the colonial and racist régimes in southern Africa. The Commission invited any competent

intergovernmental and non-governmental organizations that possessed information likely to be of assistance in the preparation of this list to place the information at the disposal of the Secretary-General for submission to the Sub-Commission at its thirty-first session. The Commission also requested the Secretary-General to prepare, for submission to the Sub-Commission at its thirty-first session, a preliminary report on the existence of partial lists concerning violations of fundamental human rights in southern Africa, drawn up by other United Nations bodies.

At the thirtieth session, the Sub-Commission had before it the final report (E/CN.4/Sub.2/383) submitted by the Special Rapporteur.

By its resolution 1 (XXX) of 26 August 1977 the Sub-Commission, having considered this report, expressed its appreciation to the Special Rapporteur for his valuable and excellent report, decided to transmit the report, including the conclusions contained therein, to the Commission for consideration at its thirty-fourth session and to request that the Special Rapporteur be enabled to follow the discussion of his report at that session, recommended that the Special Rapporteur undertake a final revision of his report before its submission to the General Assembly at its thirty-third session, taking into account the comments made in the Sub-Commission and the Commission, as well as updating the text as necessary, and decided to recommend to the Commission that the report be printed in its final form and disseminated on the widest scale. It also invited the Special Rapporteur to prepare the necessary material for a provisional general list identifying those whose activities constitute assistance to the colonial and racist régimes in southern Africa, as requested by the Commission on Human Rights in resolution 7 (XXXIII).

The report of the Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/383) will be before the Commission.

8. Question of the realization 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 relating to human rights in developing countries

By resolution 2 (XXXI) of 10 February 1975, the Commission decided to keep this item on its agenda as a standing item with high priority.

The Economic and Social Council, by decision 229 (LXII) of 13 May 1977, endorsed the recommendation made by the Commission on Human Rights in paragraph 4 of its resolution 4 (XXXIII) of 21 February 1977, and consequently decided to invite the Secretary-General, in co-operation with the United Nations Educational, Scientific and Cultural Organization and the other competent specialized agencies, to undertake a study on the subject "The international dimensions of the right to development as a human right in relation with other human rights based on international co-operation, including the right to peace, taking into account the requirements of the New International Economic Order and fundamental human needs" and to make that study available for consideration by the Commission on Human Rights at its thirty-fifth session.

In its resolution 4 (XXXIII) the Commission stressed the responsibility of all members of the international community to create the necessary conditions for the full realization of economic, social and cultural rights as an essential means of ensuring the meaningful enjoyment of civil and political rights and fundamental freedoms. It called upon all States to take prompt and effective measures, both on the national and on the international level, to remove all obstacles to the realization of economic, social and cultural rights and to promote those rights. The Commission decided that the concepts contained in this resolution would guide its future work on this item and, accordingly, to pay special attention to the obstacles hindering the full realization of economic, social and cultural rights, particularly in the developing countries, as well as to the action taken on the national and international levels to secure the enjoyment of the said rights.

In paragraph 5, the Commission requested the Secretary-General to bring the resolution to the attention of the competent economic organs of the United Nations and to ask for their views and comments in order to transmit them to the Commission at its thirty-fourth session.

Under the terms of paragraph 6, the Secretary-General was further requested to examine ways and means of updating the report of the Special Rapporteur on the realization of economic, social and cultural rights prepared in accordance with Council resolution 1421 (XLVI) and to present his recommendations in this regard to the Commission at its thirty-fourth session.

The Commission will have before it: (i) the report of the Secretary-General containing the views and comments of the competent economic organs of the United Nations, prepared in accordance with paragraph 5 of Commission resolution 4 (XXXIII) (E/CN.4/1272); and (ii) the report of the Secretary-General on ways and means of updating the report of the Special Rapporteur on the realization of economic, social and cultural rights, prepared in accordance with paragraph 6 of the same resolution (E/CN.4/1271).

The Commission may note General Assembly resolution 32/130 of 16 December 1977 adopted under the item "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" referred to in the annotations for item 11.

9. The right of peoples to self-determination and its application to peoples under colonial and alien domination

By resolution 3 (XXXI) of 11 February 1975, the Commission, considering the particular importance for the realization of human rights of the application of the principle of the right of peoples to self-determination, decided to place this item on its agenda every year with priority.

The attention of the Commission is drawn in this connexion to resolution 2 (XXX) adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities on 26 August 1977 concerning the study undertaken

by Mr. A. Cristescu, Special Rapporteur of the Sub-Commission, on the historical and current development of the right to self-determination on the basis of the Charter of the United Nations and other instruments adopted by United Nations organs, with particular reference to the promotion and protection of human rights and fundamental freedoms.

By this resolution, the Sub-Commission, having heard at its thirtieth session the statement of its Special Rapporteur and noted the important progress made so far in the drafting of the study, and having noted also that, due to the lack of time and technical facilities, the study could not be finalized for submission to the Sub-Commission at its thirtieth session, decided to examine the final report at its thirty-first session.

The attention of the Commission is also drawn to Sub-Commission resolution 7 (XXX) of 31 August 1977 concerning the study made by Mr. Hector Gros Espiell, Special Rapporteur of the Sub-Commission, on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination. In this resolution, the Sub-Commission expressed its appreciation to the Special Rapporteur for his excellent study (E/CN.4/Sub.2/390) and requested him to submit to it at its thirty-first session an updated report focusing on developments relating to several territories, listed in paragraphs 229 to 232 of his report. The Secretary-General was requested to transmit the report of the Special Rapporteur to the General Assembly at its thirty-second session, to the Commission on Human Rights, to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and to the Special Committee against Apartheid. By the same resolution, the Sub-Commission decided also to draw to the attention of the International Law Commission, for its consideration and action, the recommendations of the Special Rapporteur contained in paragraph 258 of his report concerning the drafting of a declaratory resolution for adoption by the General Assembly, to systematize, codify and update all the various matters relating to the right of peoples under colonial and alien domination to self-determination which have been the subject of the general resolutions adopted hitherto, and to deal with some new questions relating to self-determination in international law.

Furthermore, the Commission may wish to refer to the report submitted by the Secretary-General to the General Assembly at its thirty-second session under the item "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights" (A/32/147), and to resolution 32/14 adopted by the General Assembly on 7 November 1977 on this subject. In that resolution, the Assembly states that it looked forward to the publication of the above-mentioned studies by the Sub-Commission.

10. Question of the human rights of all persons subjected to any form of detention or imprisonment and in particular the body of principles for the protection of all persons under any form of detention or imprisonment

By resolution 8 (XXXIII) of 4 March 1977 the Commission decided to consider this question with priority at its thirty-fourth session.

In the same resolution, the Commission requested the Sub-Commission on Prevention of Discrimination and Protection of Minorities to continue to consider the question of torture and other cruel, inhuman or degrading treatment or punishment in the light of previous pertinent resolutions.

Furthermore, the Commission, recalling that the General Assembly, in resolution 31/85 of 13 December 1976, had requested it to present to the Assembly at its thirty-third session, through the Economic and Social Council, a comprehensive report on the elaboration of a body of principles for the protection of all persons under any form of detention or imprisonment, and noting that by its decision 2 (XXIX) of 20 August 1976 the Sub-Commission had appointed Mr. Erik Nettel as Rapporteur to formulate, in co-operation with the Secretariat, the first draft of such a body of principles, requested the Sub-Commission to present to the Commission, at its thirty-fourth session, the comprehensive report referred to in Assembly resolution 31/85.

At its thirtieth session the Sub-Commission considered the item "Question of the human rights of persons subjected to any form of detention or imprisonment" and on 31 August 1977 adopted three resolutions under this item.

By resolution 8 (XXX), the Sub-Commission, having discussed the draft body of principles for the protection of all persons under any form of detention or imprisonment prepared by its Rapporteur, and considering that it would be useful to give further consideration to that draft, recommended that the Commission on Human Rights request the Economic and Social Council to authorize the Chairman of the Sub-Commission to appoint a working group of five of its members to meet for not more than five working days prior to the thirty-first session of the Sub-Commission to prepare a revised draft body of principles for consideration by the Sub-Commission at its thirty-first session. The Sub-Commission decided to give priority to this item at its thirty-first session.

In resolution 9 (XXX), the Sub-Commission called upon all those States whose authorities resort to such practices as arbitrary arrest, indefinite detention without trial, torture or other cruel, inhuman or degrading treatment or punishment of detainees, and disappearances and summary executions of detained persons, to discontinue them forthwith and to restore full respect for basic human rights and fundamental freedoms. It decided to give urgent consideration to this question at its thirty-first session.

The Sub-Commission decided further, by resolution 10 (XXX), to entrust two of its members, Mrs. Questiaux and Mr. Caicedo Perdomo, with the preparation of a preliminary study on the implications for human rights of recent developments concerning the application of provisions relating to the state of siege or emergency, for submission to the Sub-Commission at its next session.

Attention is drawn to two resolutions adopted by the General Assembly at its thirty-second session which require action on the part of the Commission.

By resolution 32/62 of 8 December 1977 the Commission was requested to draw up a draft convention against torture and other cruel, inhuman or degrading treatment or punishment in the light of the principles embodied in the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment which had been adopted by the Assembly in resolution 3452 (XXX). The Commission was further requested to submit a progress report on this work to the General Assembly at its thirty-third session.

In resolution 32/122 of 16 December 1977, the Assembly requested the Commission to continue to give particular attention to the question of the release of individuals detained or imprisoned as a result of their participation in the struggle against apartheid, racism and racial discrimination, colonialism, aggression and foreign occupation, and for self-determination, independence as well as social progress for their peoples. The Commission was requested to submit, through the Economic and Social Council, a report on the implementation of this resolution to the General Assembly at its thirty-third session.

The following resolutions of the Assembly may also be of interest to the Commission:

Resolution 32/63 of 8 December 1977, in which the Assembly requested the Secretary-General to draw up and circulate among Member States a questionnaire soliciting information on the steps taken to put into practice the principles of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment contained in General Assembly resolution 3452 (XXX). The information is to be submitted to the Assembly at its thirty-third session, to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its thirty-second session;

Resolution 32/64 of 8 December 1977, in which the Assembly called upon all Member States to strengthen their support for the aforesaid Declaration by making unilateral declarations stating their intention to comply with the Declaration and to implement it by legislative and other effective measures. The Secretary-General is requested to inform the General Assembly in annual reports of such unilateral declarations as may be deposited by Member States;

Resolution 32/121 of 16 December 1977, concerning the protection of the human rights to certain categories of prisoners, in which the Assembly requested Member States to take effective measures to safeguard the human rights and fundamental freedoms of persons detained in respect of offences

which they had committed or were suspected of having committed by reason of their political opinions or convictions and to ensure in particular that such persons were not subjected to torture or other cruel, inhuman or degrading treatment or punishment.

It may also be noted that the Economic and Social Council, by resolution 2076 (LXII) of 13 May 1977, adopted on the recommendation of the Committee on Crime Prevention and Control and the Commission for Social Development, decided that the scope of the Standard Minimum Rules for the Treatment of Prisoners would be extended to protect persons arrested or imprisoned without charge.

Furthermore, by resolution 2075 (LXII) of the same date the Council transmitted to the General Assembly for adoption a draft Code of Conduct for Law Enforcement Officials, prepared by the Committee on Crime Prevention and Control. The General Assembly, at its thirty-second session, deferred consideration of the draft Code to its thirty-third session to enable Governments to submit their comments.

11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission

By its decision 4 (XXXIII) of 1 March 1977, the Commission requested the Secretary-General to submit to it at its thirty-fourth session a report summarizing and analysing the proposals and suggestions put forward in the course of the discussion of the item at the thirty-third and previous sessions of the Commission, as well as those contained in the relevant documentation before the Commission. As reflected in paragraph 77 of the Commission's report on its thirty-third session (E/5927), it was agreed that this report should also draw upon the views expressed during the consideration of item 12 (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 ...), especially concerning the coexistence of public and confidential procedures for examining allegations of violations of human rights and fundamental freedoms, with a view to determining how the procedural difficulties that might arise in the simultaneous application of both procedures could be avoided. It was also agreed that, before finalizing his report on this question for the thirty-fourth session of the Commission, the Secretary-General should seek the comments and observations of Member States.

The Commission further decided to establish at its thirty-fourth session a working group to study the report prepared in accordance with decision 4 (XXXIII) and to submit its recommendations to the Commission at that session.

The attention of the Commission is drawn to General Assembly resolution 32/130 of 16 December 1977, adopted under the item "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms". In that resolution, the Commission was

requested to undertake at its thirty-fourth session, as a matter of priority, an over-all analysis of the said alternative approaches and means in the light of the concepts formulated in the Assembly resolution, and to comply with the mandate established in Economic and Social Council resolution 1992 (LX) and Commission decision 4 (XXXIII); also in the light of the General Assembly resolution. The Commission was requested to submit to the General Assembly at its thirty-fourth session, through the Economic and Social Council, a report, with its conclusions and recommendations, on the work done with respect to the above-mentioned tasks and to submit, through the Council, a progress report to the Assembly at its thirty-third session.

Under the same item, it may be noted that the Third Committee of the General Assembly had before it a draft resolution (A/C.3/32/L.25/Rev.1) concerning the establishment of a United Nations High Commissioner for Human Rights. The General Assembly took note of the decision of the Third Committee, contained in the Committee's report (A/32/423, para. 23), not to vote on this draft resolution on the understanding that the said proposal and all the documents related to it that were before the Third Committee during the thirty-second session of the General Assembly, as well as the opinions advanced in the course of the debate on the said proposal, would be transmitted to the Commission to be considered at its thirty-fourth session during the above-mentioned over-all analysis requested by the Assembly.

Accordingly, the text of draft resolution A/C.3/32/L.25/Rev.1 will be available to the Commission together with the statement of the Secretary-General on the administrative and financial implications of this proposal (A/C.3/32/L.34), amendments to the draft resolution (A/C.3/32/L.35/Rev.1 and A/C.3/32/L.36) and the records of the consideration of this item at the thirty-second session of the General Assembly (A/32/PV.105, A/C.3/32/SR.42, 44, 49-55, 62, 64, 65 and 67-69). The report of the Secretary-General on "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", which was before the General Assembly at its thirty-second session (A/32/178), will also be available to the members of the Commission.

By its resolution 3 (XXXIII) of 21 February 1977 the Commission decided to recommend to Member States, the specialized agencies and all international organizations concerned with the protection and promotion of human rights to take appropriate measures to ensure that the thirtieth anniversary of the Universal Declaration of Human Rights is the occasion of special efforts to promote international understanding, co-operation and peace and the universal and effective respect for human rights, more particularly by laying stress on the educational approach both within and outside formal school systems. In addition, the Commission requested the Economic and Social Council to invite the United Nations Educational, Scientific and Cultural Organization to lay appropriate proposals before its Member States and to submit to the Commission for study, at its thirty-fourth session, a report on the situation with regard to the teaching of human rights throughout the world, accompanied by detailed recommendations. By decision 228 (LXII) of 13 May 1977, the Council endorsed this recommendation of the Commission.

The Commission also invited Member States, the specialized agencies and all interested international organizations to report to the Commission at this session on efforts made with a view to marking the thirtieth anniversary of the Universal Declaration of Human Rights.

At its thirty-fourth session, the Commission will have before it: (i) the report prepared by the Secretary-General in accordance with Commission decision 4 (XXXIII) (E/CN.4/1273 and Add.1), and (ii) the report prepared by UNESCO in accordance with Council decision 228 (LXII) (E/CN.4/1274).

In its resolution 32/123 of 16 December 1977, entitled "Observance of the thirtieth anniversary of the Universal Declaration of Human Rights", the General Assembly invited UNESCO to take the appropriate measures to consult with the Commission at its thirty-fourth session on the elaboration of a programme of action designed to develop education on human rights, in pursuance of Commission resolution 3 (XXXIII). By the same resolution, the General Assembly invited Member States, the specialized agencies, regional intergovernmental and non-governmental organizations to take appropriate measures to celebrate the thirtieth anniversary of the Universal Declaration. The Assembly also requested the Secretary-General to initiate appropriate activities at the United Nations level to celebrate the anniversary. Annexed to the resolution are a set of suggestions for possible action at the national level and a set of measures recommended to be taken at the United Nations level. The Assembly decided to include in the provisional agenda of its thirty-third session an item entitled "Thirty years of the Universal Declaration of Human Rights: international co-operation for the promotion and observance of civil, political, economic, social and cultural rights", and recommended that this item should be considered by the General Assembly in plenary meetings. The Assembly further decided to hold a special commemorative meeting to celebrate the thirtieth anniversary, which falls on 10 December 1978, and requested the Secretary-General to make the necessary preparations for the programme of this meeting.

General Assembly resolution 32/127 of 16 December 1977, entitled "Regional arrangements for the promotion and protection of human rights", may be of interest to the Commission in connexion with its consideration of this item.

Information which may be received under Economic and Social Council resolution 1159 (XLI) from regional intergovernmental bodies particularly concerned with human rights will be made available to the Commission in document E/CN.4/1283.

12. 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, including:

- (a) Question of human rights in Cyprus
- (b) Study of situations which reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group established by the Commission at its thirty-third session

With regard to the item as a whole, it will be recalled that by its resolution 5 (XXXIII) of 28 February 1977, the Commission requested the Economic and Social Council to appeal to all States, especially the developed States, and the specialized agencies and non-governmental organizations to make all efforts to accelerate the establishment of conditions that could promote the unrestricted enjoyment of all human rights in difficult economic and social conditions. By decision 230 (LXII), the Economic and Social Council endorsed the request made by the Commission.

By the same resolution 5 (XXXIII) the Commission, which had so far concerned itself mainly with violations of civil and political rights, decided that it should also study violations of economic, social and cultural rights.

In connexion with this item, the Commission will have before it the annual supplement to document E/4226 (E/CN.4/923/Add.11), listing decisions taken by United Nations bodies during 1977 relevant to the question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries and territories.

Chapter IV of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirtieth session (E/CN.4/1261) is relevant to this item.

Information submitted by the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in accordance with General Assembly resolution 2785 (XXVI) of 6 December 1971, in which the General Assembly asked them to provide annually to the Commission reports on the nature and effect of any racial discrimination of whose existence they had knowledge in their sphere of competence, will be circulated to the Commission in document E/CN.4/1282 and may be relevant to this item.

The report of the Secretary-General called for under Commission decision 4 (XXXVIII), referred to under item 11 above, which is contained in document E/CN.4/1273, may be of interest to the Commission for the consideration of this item.

As regards sub-item (a), it will be recalled that the Commission, in its decision 6 (XXXVIII), decided to postpone the consideration of this sub-item to its thirty-fourth session and to give it due priority at that session. The Commission also requested the Secretary-General to provide the Commission at its thirty-fourth session with information relevant to the consideration of this question.

The relevant report of the Secretary-General will be before the Commission in document E/CN.4/1275.

As regards sub-item (b), the Commission will have before it the report of its working group established by its decision 5 (XXXVIII) of 1 March 1977 to examine such particular situations as may be referred to the Commission by the thirtieth session of the Sub-Commission under Council resolution 1503 (XLVIII) and those situations which the Commission has decided to keep under review. The report of the working group, as well as other confidential documents pertaining to the sub-item, including the confidential report of the thirtieth session of the Sub-Commission (E/CN.4/R.27 and addenda) and observations received from Governments (E/CN.4/R.28), will be distributed to each member of the Commission personally.

Chapter XIII of the report of the Sub-Commission on the work of its thirtieth session (E/CN.4/1261) is also of relevance.

13. Human rights and scientific and technological developments

In its resolution 10 (XXVII) of 18 March 1971, the Commission decided to retain the question of human rights and scientific and technological developments as a standing item on its agenda.

The General Assembly, in its resolution 3268 (XXIX) of 10 December 1974, requested the Commission to draw up a programme of work in connexion with human rights and scientific and technological developments, taking into account the reports of the Secretary-General on that topic, the information transmitted by Governments pursuant to paragraph 2 of the resolution and other relevant sources, with a view to undertaking in particular the formulation of standards in the areas which would appear to be sufficiently analysed.

In its resolution 11 (XXXII) of 5 March 1976 the Commission requested the Secretary-General to continue collecting documentation on the development of new technology as it pertains to human rights, where necessary with the assistance of qualified experts, to continue and, if necessary, strengthen co-operation and adequate co-ordination between United Nations organs and the specialized agencies with regard to the impact of science and technology on human rights, in particular with a view to the proposed conference on science, technology and development.

Under this agenda item, the Commission will have before it (i) a further report of the Secretary-General on developments elsewhere in the United Nations system of interest to the Commission (E/CN.4/1276), and (ii) an addendum to the report of the Secretary-General on human rights and national machinery for decision-making on science policy, with particular reference to technology assessment (E/CN.4/1235/Add.1).

The updated version of the note by the Secretary-General on the programme of work, prepared in accordance with paragraph 1 of Commission resolution 11 (XXXI) (E/CN.4/L.1313 and Corr.1), which was before the Commission at previous sessions, will also be available.

By resolution 31/128 of 17 December 1976, the General Assembly requested the Commission, in its consideration of the question of scientific and technological progress and human rights, to give special attention to the implementation of the provisions of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, proclaimed by the General Assembly in its resolution 3384 (XXX) of 10 November 1975.

In resolution 10 A (XXXVIII), of 11 March 1977, the Commission requested the Sub-Commission to study, with a view to formulating guidelines, if possible, the question of the protection of those detained on the grounds of mental ill-health against treatment that might adversely affect the human personality and its physical and intellectual integrity, and further requested the Sub-Commission to submit a progress report on the above to the Commission when such a report was ready.

By resolution 10 B (XXXIII) of the same date the Commission welcomed the adoption by the General Assembly in its resolution 3384 (XXX) of the Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind and accepted it, together with other relevant international instruments, as a guide for its future work. The Commission also instructed the Sub-Commission to examine, in the light of the provisions of the Declaration, studies relating to this subject and to submit its observations to the Commission.

Also in resolution 10 B (XXXIII) the Commission drew the attention of the Committee on Science and Technology for Development to the provisions of the Declaration, and requested that Committee to take those provisions into account when preparing for the United Nations Conference on Science and Technology for Development, which the General Assembly had decided to hold in 1979; and decided to consider, at its thirty-fourth session, under the agenda item "Human rights and scientific and technological developments", the question of implementing the provisions of the Declaration.

Attention is drawn to chapter X of the report of the Sub-Commission on its thirtieth session (E/CN.4/1261) regarding the consideration by the Sub-Commission of the question of human rights and scientific and technological developments.

The General Assembly, at its 105th plenary meeting on 16 December 1977, adopted a decision according to which the Assembly, "having been unable, for lack of time, to consider the item entitled 'Human rights and scientific and technological developments', decides to include it in the provisional agenda of its thirty-third session and to consider it with appropriate priority".

14. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid

By resolution 13 (XXXIII) of 11 March 1977 the Commission decided to maintain this question on its agenda as a standing item.

By the same resolution, the Commission decided that the group of three members of the Commission to be appointed by the Chairman in accordance with article IX of the Convention should meet for a period of five days before the thirty-fourth session of the Commission to consider the reports submitted by States parties in accordance with article VII of the Convention, and invited the States parties to submit to the group through the Secretary-General reports on the legislative, judicial, administrative and other measures that they have adopted and that give effect to the provisions of the Convention. The Commission also took a number of other decisions concerning the discharge of the functions assigned to it under article X of the Convention. The representatives of Cuba, Nigeria and the Syrian Arab Republic were appointed as members of the group of three by the Chairman of the thirty-third session of the Commission. The group is scheduled to meet from 30 January to 3 February 1978.

At its thirty-fourth session, the Commission will have before it the following documents:

(a) A note by the Secretary-General (E/CN.4/1277) concerning reports submitted by States parties under article VII of the Convention. Reports received by the Secretary-General will be made available to the Commission in addenda to document E/CN.4/1277;

(b) A note by the Secretary-General (E/CN.4/1278) concerning the implementation of the decisions of the Commission in its resolution 13 (XXXIII) relevant to the discharge of its functions under article X of the Convention;

(c) Any report which the group of three may decide to submit to the Commission on its activities.

It may be noted that the General Assembly, in its resolution 32/12 of 7 November 1977, welcomed the establishment by the Chairman of the thirty-third session of the Commission of the above-mentioned group and invited the Commission to continue its efforts to undertake the functions set out in article X of the Convention.

15. The role of youth in the promotion and protection of human rights, including:

(a) Channels of communication with youth and international youth organizations

(b) The question of conscientious objection to military service

By decision 8 (XXXIII) of 11 March 1977 the Commission postponed consideration of this item to its thirty-fourth session.

As regards sub-item (a), the Commission, in resolution 1 B (XXXII) of 11 February 1976, requested the Secretary-General to transmit to it for further consideration the reports of the Ad Hoc Advisory Group on Youth on its second and third meetings and all other relevant documents. It also requested the Secretary-General to summarize the information which all member States, the appropriate United Nations organs, the specialized agencies and the non-governmental organizations concerned would be invited to furnish on steps taken to promote within their respective spheres of competence measures enumerated in the resolution.

Accordingly, the Commission had before it at its thirty-third session the reports on the second and third meetings of the Ad Hoc Advisory Group on Youth (E/CN.4/1240 and E/CN.4/1241) as well as a report of the Secretary-General containing the information received pursuant to Commission resolution 1 B (XXXII) (E/CN.4/1223 and Add.1-3). The following documents considered relevant to the item were also made available to the Commission: A/8743, E/CN.5/508, E/CN.5/520, A/10275, E/CN.5/530. This documentation will again be before the Commission at its thirty-fourth session.

In addition, the attention of the Commission is drawn to the reports of the Secretary-General on popular participation, women, youth and children (E/CN.5/549) and on problems facing youth (E/CN.5/534), as requested by the Economic and Social Council in its resolution 2078 (LXII) of 13 May 1977 on youth in the contemporary world.

It may be recalled that the General Assembly in its resolution 31/129 of 16 December 1976 on policies and programmes relating to youth requested the United Nations organs concerned to give greater attention to the implementation of the provisions of the Declaration on the Promotion among Youth of the Ideals of Peace and Mutual Respect and Understanding between Peoples, especially when establishing their policy and programmes relating to youth. In the same context, in its resolution 31/130 of the same date, the General Assembly considered it necessary to disseminate among youth, through appropriate education, ideas of peace, respect for human rights and fundamental freedoms, human solidarity and dedication to the objectives of progress and development, and invited all relevant organizations within the United Nations system to give special attention to programmes connected with education and the participation of youth in development.

It may also be recalled that in its resolution 31/169 of 21 December 1976 on the International Year of the Child, the General Assembly called upon the appropriate organs of the United Nations to contribute to the preparation and implementation of the objectives of the Year, bearing in mind that the year 1979 would be the twentieth anniversary of the Declaration of the Rights of the Child and could serve as an occasion to promote further its implementation. In this connexion, the Commission may wish to note that the Economic and Social Council in its resolution 2105 (LXIII) of 3 August 1977, bearing in mind that the International Year of the Child could further promote the principles of the Declaration of the Rights of the Child, called for intensified international action in preparation for the Year.

Two resolutions adopted by the General Assembly at its thirty-second session may also be of interest to the Commission. In resolution 32/134 of 16 December 1977 on youth in the contemporary world, the Assembly requested the Secretary-General to submit to it a report containing the views of member States on the proclamation of an International Youth Year as well as a brief synopsis of the legislative history and programme activities of the United Nations in the field of youth since 1965. In resolution 32/135 of 16 December 1977 relating to channels of communications with youth and youth organizations, the Assembly adopted guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, which are annexed to the resolution.

Regarding sub-item (b), it may be recalled that by resolution 11 B (XXVII) the Commission requested the Secretary-General to make available to it the information on conscientious objection to military service included in the country monographs which were prepared in connexion with the study on discrimination in the matter of religious rights and practices (United Nations publication, Sales No. 60.XIV.2), to seek from member States up-to-date information on

national legislation and other measures and practices relating to conscientious objection to military service and alternative service, and to submit a report on this matter to the Commission as soon as possible.

The report of the Secretary-General (E/CN.4/1118 and Corr.1 and Add.1-3) prepared in accordance with resolution 11 B (XXVII), which was before the Commission at previous sessions, will be available.

16. Draft declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief

In resolution 3027 (XXVII) of 18 December 1972, the General Assembly decided to accord priority to the completion of the Declaration on the Elimination of All Forms of Religious Intolerance before resuming consideration of the draft international convention on this subject.

By resolution 3267 (XXIX) of 10 December 1974, the General Assembly requested the Secretary-General to transmit to the Commission all the opinions expressed and suggestions put forward in the course of the discussion of this question at its twenty-ninth session. The Assembly requested the Commission to submit, through the Council, to the Assembly at its thirtieth session a single draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The Assembly also decided to include the item in the provisional agenda of its thirtieth session with a view to assessing progress on the elaboration of a declaration and to considering, completing and adopting, if possible, the declaration, provided that a single draft was completed by the Commission.

The Commission considered the question at its thirtieth, thirty-first, thirty-second and thirty-third sessions, and during each of these sessions it established an informal working group open to all its members to consider the elaboration of a draft declaration.

The Group established at the thirty-third session of the Commission was able to complete the preambular part of the draft Declaration and began consideration of the operative part of the draft Declaration.

By resolution 11 (XXXIII) of 11 March 1977 the Commission decided to continue the elaboration of the draft declaration and to establish an open-ended working group, which would meet three times weekly from the first week of the thirty-fourth session, and requested the assistance of the Secretary-General to ensure the good functioning of the working group.

The draft of a declaration prepared by the Sub-Commission and a number of articles of a draft declaration prepared by a working group of the Commission, together with other relevant texts and references to documents, are set out in a note by the Secretary-General (E/CN.4/1145). Comments and suggestions of Governments are contained in documents E/CN.4/1146 and Add.1-3 and A/C.3/SR.2006, 2009-2014, 2091-2096 and A/PV.2311. The results of the work of the informal working group established by the Commission at its thirty-third session are set out in paragraph 197 of the report of the Commission on that session (E/5927).

At its thirty-second session the General Assembly adopted resolution 32/143 of 16 December 1977 entitled "Elimination of all forms of religious intolerance", whereby it requested the Commission to give this matter the priority necessary to finalize the draft Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

17. Periodic reports on freedom of information

By decision 8 (XXXIII) the Commission postponed consideration of this item to its thirty-fourth session.

The Commission will again have before it the report of the Ad Hoc Committee on Periodic Reports on Human Rights on the work of its 1977 session (E/CN.4/1226).

The following documentation distributed at the thirty-third session of the Commission will be available:

- (i) The reports on freedom of information for the period 1 July 1970-30 June 1975 received from Governments (E/CN.4/1214 and addenda) and specialized agencies (E/CN.4/1215 and Add.1-3);
- (ii) An analytical summary of these reports (E/CN.4/1224);
- (iii) A subject and country index to the reports (E/CN.4/1225);
- (iv) An up-to-date memorandum on the status of multilateral agreements in the field of human rights concluded under the auspices of the United Nations (E/CN.4/907/Rev.14);
- (v) Relevant contributions received from non-governmental organizations in consultative status and comments made on them by the Member States concerned.

18. (a) Study in collaboration with the Sub-Commission on Prevention of Discrimination and Protection of Minorities of ways and means of ensuring the implementation of United Nations resolutions bearing on apartheid, racism and racial discrimination
- (b) Implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination

By decision 8 (XXXIII) of 11 March 1977 the Commission postponed consideration of this item to its thirty-fourth session.

At its thirtieth session, the Sub-Commission on Prevention of Discrimination and Protection of Minorities considered an item entitled "The role of the Sub-Commission in the implementation of the Programme for the Decade for Action to Combat Racism and Racial Discrimination: study and suggestions on effective ways and means and concrete measures for securing the full and universal implementation of the United Nations resolutions and decisions on racism, racial discrimination, apartheid, decolonization and self-determination and related matters". At the conclusion of its discussion on this item, which is reflected in chapter VI of its report (E/CN.4/1261), the Sub-Commission adopted resolution 3 (XXX) of 31 August 1977 in which it decided to consider as a major part of its own contributions to the Decade, ways and means of using national courts, administrative tribunals and domestic forums to help implement United Nations resolutions on racism, racial discrimination, apartheid, decolonization and self-determination and related matters. The Sub-Commission further requested the Secretary-General to prepare for the Sub-Commission at its next session a preliminary document setting forth information from all available sources on how various United Nations instruments, including declarations and resolutions, have been used in national courts, administrative tribunals and domestic forums, including legislative forums, with suggestions for their effective future use in the specific field of racial discrimination; it also requested the Secretary-General to prepare for the Sub-Commission at its next session a preliminary document that reports on the use of those United Nations instruments, declarations and resolutions in private forums as well, including in particular information from churches, anti-apartheid movements, trade unions and other organizations as to shareholder actions and other activities aimed at discouraging collaboration by banks and other transnational corporations with colonial and racist régimes.

The attention of the Commission is also drawn to General Assembly resolution 32/129 of 16 December 1977 on the World Conference to Combat Racism and Racial Discrimination, which provides that the Commission on Human Rights should be invited to the Conference, which is to be held in Geneva from 14 to 25 August 1978, as an observer.

19. Status of the International Covenants on Human Rights

In resolution 2 (XXXIII) the Commission requested the Secretary-General to continue to inform it at each session of any new developments with regard to ratification and implementation of the International Covenants on Human Rights and

the Optional Protocol to the International Covenant on Civil and Political Rights. In this connexion, the Commission will have before it a report of the Secretary-General (E/CN.4/1279).

The Commission may note that the General Assembly adopted resolution 32/66 on 8 December 1977 on the status of the International Covenants and the Optional Protocol, by which it invited all States which had not yet done so to become parties to the Covenants and to consider the possibilities of acceding to the Optional Protocol, and requested the Secretary-General to keep the Human Rights Committee informed of the activities of the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination.

20. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its thirtieth session

The report of the Sub-Commission on its thirtieth session will be before the Commission in document E/CN.4/1261. The confidential part of the report of the Sub-Commission (E/CN.4/R.27 and addenda), which is also before the Commission, has been referred to under item 12 above.

The report of the Sub-Commission in document E/CN.4/1261 contains 11 resolutions. The resolutions that call for action by the Commission are as follows:

- (i) Resolution 1 (XXX), on the adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to colonial and racist régimes in southern Africa, by which the Sub-Commission decided to transmit the final report of the Special Rapporteur on this question (E/CN.4/Sub.2/383) to the Commission for consideration at its thirty-fourth session. The resolution is referred to under item 7 above.
- (ii) Resolution 5 (XXX), on the study of the rights of persons belonging to ethnic, religious and linguistic minorities. In this resolution the Sub-Commission, after having considered the report of Mr. Francesco Capotorti, the Special Rapporteur on this question (E/CN.4/Sub.2/384 and Add.1-7), endorsed the conclusions and recommendations of the Special Rapporteur and requested him to present them to the Commission on Human Rights at its thirty-fourth session. The Sub-Commission by the same resolution recommended to the Commission to consider drafting a declaration on the rights of members of minorities, within the framework of the principles set forth in article 27 of the International Covenant on Civil and Political Rights. The Sub-Commission also requested the Commission to recommend to the Economic and Social Council that the report be printed and disseminated on the widest scale.
- (iii) Resolution 7 (XXX) on the implementation of United Nations resolutions relating to the right of peoples under colonial and alien domination to self-determination, which transmits the report of the Special Rapporteur contained in document E/CN.4/Sub.2/390 to the Commission and informs it

that the Sub-Commission intends to keep this question under review at its thirty-first session on the basis of an updated report to be prepared by the Special Rapporteur. The resolution is referred to under item 9 above.

- (iv) Resolution 8 (XXX) on the question of the human rights of persons subjected to any form of detention or imprisonment in which the Sub-Commission inter alia recommended that the Commission request the Economic and Social Council to authorize the Chairman of the Sub-Commission to appoint a working group of five of its members to meet for not more than five working days prior to the thirty-first session of the Sub-Commission to prepare a revised draft body of principles for consideration by the Sub-Commission at its thirty-first session. The resolution is referred to under item 10 above.
- (v) Resolution 11 (XXX) on the study of certain questions relating to the situation of human rights in Chile, under part I of which a progress report on the consequences of the various forms of aid extended to the Chilean authorities is to be submitted to the Commission at its thirty-fourth session, and under part II of which the Secretary-General is requested to prepare a report for the Commission at its thirty-fourth session, containing suggestions relating to the establishment of a voluntary humanitarian fund for the benefit of certain persons in Chile. The resolution is referred to under item 5 above.

21. Measures to improve the situation and ensure the human rights and dignity of all migrant workers

By resolution 31/127 of 16 December 1976, the General Assembly recommended that the Commission on Human Rights and the Economic and Social Council should consider this question at their next sessions on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies, including the study by the Special Rapporteur on the exploitation of labour through illicit and clandestine trafficking (E/CN.4/Sub.2/L.640) and the report of the seminar on the human rights of migrant workers held at Tunis from 12 to 24 November 1975 (ST/TAO/HR/50).

The Commission considered the question at its thirty-third session under item 20 (Exploitation of labour through illicit and clandestine trafficking) and, by resolution 12 (XXXIII), took note of the study and draft recommendations of the Special Rapporteur and of the report of the Tunis seminar, and recommended to the Economic and Social Council to consider the question at its sixty-second session, taking into account the existing international instruments, as well as related studies and reports on the subject.

The Economic and Social Council at its sixty-second session, in its resolution 2083 (LXII) of 13 May 1977, recommended that the Commission at its thirty-fourth session, in collaboration with the International Labour Organisation and other interested organizations of the United Nations system, and in the light of any recommendations which the General Assembly might transmit to it on the subject at its thirty-second session, should make a complete and thorough study of

the questions mentioned in Assembly resolution 31/127 under an agenda item entitled "Measures to improve the situation and ensure the human rights and dignity of all migrant workers". By the same resolution, the Economic and Social Council decided to study this question at its sixty-fourth session in the context of its consideration of the report of the Commission.

At its thirty-second session the General Assembly adopted resolution 32/120 of 16 December 1977 by which it recommended that the Commission on Human Rights and the Economic and Social Council should consider this question fully and in depth at their next sessions, in collaboration with ILO, UNESCO and other interested agencies of the United Nations system, on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies, including the above-mentioned study on the exploitation of labour through illicit and clandestine trafficking and the report of the Tunis seminar.

22. Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live

By decision 8 (XXXIII) of 11 March 1977, the Commission postponed consideration of this question to its thirty-fourth session.

The Commission may wish to note that at its thirtieth session the Sub-Commission examined the updated final study on this subject prepared by its Special Rapporteur, Baroness Elles. By resolution 4 (XXX) of 31 August 1977 the Sub-Commission requested the Secretary-General to submit to Governments the draft declaration contained in annex I of the study for their consideration and comments and to request Baroness Elles, taking into account the replies of Governments and the views expressed during the discussion of the item at its thirtieth session, to present a new draft declaration to the Sub-Commission at its thirty-first session.

Chapter VIII of the report of the Sub-Commission on its thirtieth session (E/CN.4/1261) describes the Sub-Commission's consideration of this item.

23. Question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred

By decision 8 (XXXIII) of 11 March 1977 the Commission postponed consideration of this item to its thirty-fourth session.

The Commission will recall that by resolution 2839 (XXVI) of 18 December 1971, the General Assembly decided to place the question of measures to be taken against ideologies and practices based on terror or on incitement to racial discrimination or any other form of group hatred on its agenda and to keep it under continuing review, and urged other competent organs of the United Nations to do likewise, so that appropriate measures could be taken promptly as required. In compliance with this decision of the General Assembly, the item was included in the agenda of the twenty-eighth session of the Commission. Consideration of the item has been postponed by the Commission since its twenty-eighth session.

It may be further recalled that at its 2201st plenary meeting, on 14 December 1973, the General Assembly decided that the consideration of this item by the Assembly should be deferred until such time as the discussion of the item had been concluded in the Commission on Human Rights.

24. Advisory services in the field of human rights

By decision 8 (XXXIII) of 11 March 1977 the Commission postponed consideration of this item to its thirty-fourth session.

In accordance with General Assembly resolution 926 (X) and Economic and Social Council resolutions 684 (XXVI) and 1008 (XXXVII), the Commission will have before it a report by the Secretary-General on the programme of advisory services in the field of human rights (E/CN.4/1280).

The Commission may wish to note that, in annex B to resolution 32/123, entitled "Observance of the thirtieth anniversary of the Universal Declaration of Human Rights", adopted by the General Assembly on 16 December 1977, it is recommended, inter alia, that a special seminar within the programme of advisory services should be organized in 1978 (at Geneva) at the world-wide level on the subject of national and local institutions for the promotion and protection of human rights, and that the report of the seminar should be forwarded to the General Assembly.

In addition, the General Assembly adopted resolution 32/127 of 16 December 1977, entitled "Regional arrangements for the promotion and protection of human rights", by which it requested the Secretary-General, under the advisory services programme, to give priority to the organization, in areas where no regional commissions on human rights existed, of seminars for the purpose of discussing the usefulness and advisability of the establishment of regional commissions for the promotion and protection of human rights.

25. Communications concerning human rights

By decision 8 (XXXIII) of 11 March 1977 the Commission postponed consideration of this item to its thirty-fourth session.

The Commission will have before it confidential lists of communications and confidential documents containing the replies of Governments to communications furnished to them, prepared by the Secretary-General in accordance with Economic and Social Council resolutions 728 F (XXVIII), 1235 (XLII) and 1503 (XLVIII). In accordance with Economic and Social Council decision 79 (LVIII) of 6 May 1975, these lists and documents are furnished to the members of the Commission every month. The Commission will also have before it a confidential document of a statistical nature prepared by the Secretary-General in accordance with Commission resolution 14 (XV). Further, the Commission will have before it a non-confidential list of communications, dealing with the principles involved in the promotion of universal respect for, and observance of, human rights.

26. Election of members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

In accordance with Economic and Social Council resolution 1334 (XLIV) of 31 May 1968, the Commission, at its thirty-first session in 1975, elected 26 members of the Sub-Commission for a term of three years from nominations of experts made by States Members of the United Nations. The Commission will accordingly hold at this session a new election of the membership of the Sub-Commission. It will have before it a note by the Secretary-General, which will include nominations received from Member States (E/CN.4/1281 and addenda) of candidates for election and the provisions on the geographical distribution of membership of the Sub-Commission contained in Council resolution 1334 (XLIV).

27. Draft provisional agenda for the thirty-fifth session of the Commission

Rule 9 of the rules of procedure provides that at each session of the Commission, the Secretary-General shall submit a draft provisional agenda for the Commission's subsequent session, indicating in respect of each agenda item the documents to be submitted under that item and the legislative authority for their preparation, in order to enable the Commission to consider the documents from the point of view of their contribution to the work of the Commission and of their urgency and relevance in the light of the current situation.

The Commission will have before it, before the conclusion of the thirty-fourth session, a note for its consideration containing a draft provisional agenda for its thirty-fifth session, together with information concerning the corresponding documentation.

28. Report to the Economic and Social Council on the thirty-fourth session of the Commission

Rule 37 of the rules of procedure provides that the Commission shall submit to the Council a report, which shall normally not exceed 32 pages, on the work of each session containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall as far as practicable frame its recommendations and resolutions in the form of drafts for approval by the Council.
