



Distr.
GENERAL

E/CN.4/1228
17 February 1977

Original: ENGLISH/FRENCH/
SPANISH/RUSSIAN

COMMISSION ON HUMAN RIGHTS
Thirty-third session
Agenda item 24

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report of the Secretary-General

I. DECISIONS AND RECOMMENDATIONS OF UNITED NATIONS BODIES ADOPTED DURING
1975 AND 1976 AND AFFECTING THE ADVISORY SERVICES PROGRAMME IN THE
FIELD OF HUMAN RIGHTS

A. Commission on Human Rights

1. Thirty-first session (3 February-7 March 1975)

1. The Commission on Human Rights at its 1331st meeting, on 5 March 1975, decided to take note of the reports of the Secretary-General on the item "Advisory services in the field of human rights" (E/CN.4/1136 and E/CN.4/1169).^{1/} At the same session, at its 1330th meeting, on 5 March 1975, the Commission adopted resolution 10 (XXXI) concerning further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission. In paragraph 3 (d) of the resolution, the Secretary-General was requested to submit a report to the Commission at its thirty-second session on "A complete description of the use made of the advisory services programme in all its components (for example, experts, seminars, training courses, fellowships) since the adoption of General Assembly resolution 926 (X), with a view to a more effective utilization of the advisory services programme in the field of human rights in relation to the over-all work of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities".

2. In accordance with this resolution, the Secretary-General prepared a report (E/CN.4/1192) which was considered by the Commission at its thirty-second session.

^{1/} See Official Records of the Economic and Social Council, Fifty-eighth session, Supplement No. 4 (E/5635), decision 10 (XXXI).

2. Thirty-second session (2 February-5 March 1976)

3. The Commission at its 1379th meeting, on 5 March 1976, decided to postpone to its thirty-third session consideration of the item on advisory services in the field of human rights.^{1/} At its 1374th meeting on 3 March 1976, following its consideration of the Secretary-General's report referred to above (E/CN.4/1192), the Commission adopted resolution 7 (XXXII) concerning the further promotion and encouragement of human rights and fundamental freedoms, including the question of a long-term programme of work of the Commission. In paragraph 2 of the resolution, the Economic and Social Council was requested to enable the Secretary-General to continue to organize world-wide and regional seminars on human rights; in paragraph 4 the Secretary-General was requested, acting in particular through the information centres, to give more publicity to United Nations activities in the field of human rights. As requested, the Secretary-General instructed all United Nations information centres to inform Governments of Member States, in their respective areas of operation, of the availability of advisory services in the field of human rights. By a note verbale dated 24 April 1976 the Secretary-General also asked all Member States if they would be interested in acting as hosts to seminars, to be organized on a world-wide or regional basis, or to regional training courses on topics relating to the promotion and protection of human rights.

B. General Assembly

4. The General Assembly in its resolution 3539 (XXX) of 17 December 1975 appropriated funds for the biennium 1976-1977 for technical assistance programmes which included funds for the programme of advisory services in the field of human rights.

II. SEMINARS

A. Programme of seminars for 1975

5. At the invitation of the Tunisian Government an international seminar on the human rights of migrant workers was held in Tunis from 11 to 24 November 1975. This was the first seminar held on this subject. The seminar adopted a substantial report containing a number of conclusions and recommendations.^{2/}

6. Participants and alternates from the following countries attended the seminar in their individual capacity: Argentina, Belgium, Brazil, Canada, Czechoslovakia, Denmark, France, Germany (Federal Republic of), Guinea-Bissau, Iran, Kuwait, Lesotho, Libyan Arab Republic, Mexico, Pakistan, Philippines, Portugal, Romania, Somalia, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela.

^{1/} See Official Records of the Economic and Social Council, Sixtieth Session, Supplement No. 3 (E/5768).

^{2/} The report of the seminar was issued as document ST/TAO/HR/50 and is before the Commission at its current session in connexion with agenda item 20.

7. Also in attendance were an observer for the Government of Yugoslavia, representatives of ILO and observers for a number of interested non-governmental organizations. Mr. Abdelkrim Ghana, Director for Consular Affairs at the Tunisian Ministry for Foreign Affairs, was Chairman of the seminar.

B. Programme of seminars for 1976

8. The Division of Human Rights held consultations with several Governments on the possibility of holding an international or regional seminar in their respective countries during 1976. Unfortunately, none of these discussions resulted in invitations. Accordingly, no seminar was held in 1976.

C. Programme of seminars for 1977 and thereafter

9. In response to the Secretary-General's note verbale referred to above, several Member States have indicated their interest in acting as host to seminars in 1977 or 1978. Consultations are now being held with these Governments. Other Governments have also expressed interest, but for the time being, due to the financial implications of such a project, they are not in a position to extend an invitation.

III. FELLOWSHIPS AND TRAINING COURSE

A. Extent of participation in the 1975 and 1976 programmes, nature of awards, fields of study, and programme for 1977

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

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

12. In 1975 and 1976 the Secretary-General received, respectively, 67 and 125 governmental nominations for individual human rights fellowships. The Secretary-General has attempted, so far as it was possible, to ensure a broad distribution of fellowships among the nationalities of the applicants. In 1975, with the financial resources available, recommendations were made for the award of 25 individual fellowships to candidates from 25 countries. In 1976, recommendations were made for the award of 20 fellowships to candidates from 20 countries.

13. It should be noted that these figures do not include the number of human rights fellowships awarded to persons for the study of subjects strictly related to the status of women and which fall within the activities of the Branch for the Promotion of Equality of Men and Women of the Centre for Social Development and Humanitarian Affairs of the Secretariat.

14. In 1975, human rights fellows were selected from the following countries: Afghanistan, Bangladesh*, Bulgaria, Burundi, Colombia, Ecuador, Ethiopia, Ghana, Haiti*, Honduras, India, Indonesia, Iran, Mauritania*, Malaysia, Nepal, New Zealand, Nigeria, Paraguay, Poland, Singapore, Sudan, Sweden, Upper Volta, Zambia*.
15. In 1976, the 20 recipients came from the following countries: Democratic Yemen, Ethiopia, Greece, Iceland, Jamaica, Malaysia, Panama,* Papua New Guinea,* Peru, Rwanda, Singapore, Spain, Sri Lanka, Sudan, Swaziland,* Uganda,* Union of Soviet Socialist Republics, United Republic of Cameroon,* United Republic of Tanzania, Uruguay.
16. Candidates nominated by Governments in 1975 and 1976 continued to be of a high level as far as their qualifications were concerned. The recipients of fellowship awards included, in particular, government officials with responsibility for the administration of justice and for drafting legislation as well as officials of ministries of education, justice and interior and of police departments. Most of the fellows and their Governments expressed great satisfaction with the results achieved.
17. A partial list of the areas of study in which recent human rights fellowships have been awarded is set out in the annex to this document.
18. In 1977 the Secretary-General will continue to provide, as appropriate, human rights fellowships within the available resources.

B. Training courses

19. In 1975, at the invitation of the Government of Costa Rica, a training course was held at the Latin American Institute for the Prevention of Crime and Treatment of Juvenile Delinquents in San José, Costa Rica, from 24 November to 12 December on the subject "Human rights in the administration of criminal justice". The training course was attended by 19 participants nominated by the following Governments of Member States from the western hemisphere: Argentina, Barbados, Belize, Bolivia, Brazil, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, Panama, Peru, United States of America, Uruguay. A participant nominated by the Government of France also attended the training course. The discussion concentrated on the following topics: United Nations activities in the protection of human rights; administration of justice and human rights; police and human rights; human rights and criminal procedures; general features of the criminal justice system in relation to human rights; sentencing, and treatment of offenders. The programme also included lectures and talks, followed by discussions, visits to courts, attending a public hearing at a criminal trial and visits of observation to penal centres, open institutions for men and women and a readaptation centre for juvenile delinquents.
20. "Human rights in the administration of criminal justice" was also the subject of the training course organized at the invitation of the Government of Australia which took place at the Australian Institute of Criminology in Canberra, Australia, from 29 November to 17 December 1976. Twenty judges, public prosecutors, police

* / Asterisk indicates participation in the programme for the first time.

officials and other jurists from 14 countries members of the Economic and Social Commission for Asia and the Pacific - Bangladesh, Fiji, Indonesia, Iran, Japan, Nepal, New Zealand, Papua New Guinea, Philippines, Republic of Korea, Singapore, Sri Lanka, Thailand and Tonga - participated in the course, together with three fellows nominated by the Government of Australia. The course consisted of lectures, seminars and workshops organized around three themes: "The human rights of the citizen in relation to the criminal justice system"; "The human rights of the accused person in relation to the criminal justice system", and "The human rights of the convicted person in relation to the criminal justice system". Visits of observation, followed by discussions, were also organized to a prison, a juvenile detention centre, a remand centre, courts and a police department. Two United Nations films and an Australian film on the treatment of offenders were shown.

21. These training courses were, respectively, the third and fourth in a series of three-week courses on human rights in the administration of criminal justice. The first was held in 1972 in Fuchu, Japan, and the second in 1973 in Cairo, Egypt.

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

IV. BUDGET APPROPRIATED FOR THE PROGRAMME

28. The attention of the Commission is called to the fact that, despite the increasing demand by Member States for human rights advisory services and the substantial increase in recent years of the cost of the organization of seminars and training courses and the provision of fellowships, all greatly appreciated by Governments and participants, the funds made available for this programme are being reduced. With such limited funds the Division of Human Rights finds it very difficult to carry out the advisory services programme as presented in Commission resolution 17 (XXIII), in which the Secretary-General was requested to include in his annual advisory services programme the holding of two seminars and one training course and the provision of a number of fellowships.

Annex

PARTIAL LIST OF AREAS OF STUDY
FOR RECENT HUMAN RIGHTS FELLOWSHIP AWARDS

Protection of human rights in a multinational society

Measures to safeguard the human rights of refugees

Measures designed to advance the observance of the human rights of the indigenous population, with particular reference to matters concerning the sedentarization of nomads

Protection of the human rights of immigrants and resident aliens

Advancement of human rights in the formulation and implementation of economic and social legislation

Implementation of the economic and social rights contained in the Universal Declaration of Human Rights

Protection of human rights in the drafting and implementation of legislation, with special reference to methods of implementation at the national level of international conventions on human rights with regard to both law and practice

Judicial organization and administration in relation to the protection of human rights

Protection of human rights in the administration of justice

Protection of human rights in the administration of justice, with special reference to periods of emergency

Role of the police in the protection of human rights, with particular reference to the special needs of new immigrants and of groups of varying ethnic origins

Legal aid and legal advice provisions in civil and criminal courts

Protection of human rights in preliminary investigations and pre-trial proceedings, with special emphasis on legal representation

Right of the accused to a speedy trial

Protection of the human rights of convicted and released offenders and of their families

The use of the writ of habeas corpus in the protection of human rights

Judicial and other remedies against the abuse of administrative authority

Role of the ombudsman and related institutions in relation to the protection of the rights of the citizen

Protection of human rights in criminal procedure

Protection of human rights in criminal procedure, with particular emphasis on the treatment and rehabilitation of criminal offenders in need of psychiatric care

The role of the public prosecutor in the protection of human rights with reference to the protection of human rights in criminal procedure

Human environment and human rights

Protection of human rights in armed conflicts

Human rights and scientific and technological developments

Protection of human rights in the administration of justice with special reference to civil law and procedure

The protection of human rights in developing countries

Education of youth in the respect for human rights

Protection of rights relating to individual ownership or property

The role of the police in the protection of human rights

Participation in local administration as a means of promoting human rights

Human rights and the promotion of freedom of information

Protection of human rights in the solution of labour disputes

The use of the writ of certiorari as a means of protecting human rights

Protection of human rights of the disabled through rehabilitation and legislation

Methods of taking due account of the requirements in respect of human rights in the formulation of legislation and government decrees and regulations

Rights of the child, with particular reference to the protection of the rights of children placed for adoption and of children born out of wedlock

Protection of the rights of the child, with particular reference to the administration of justice in children's courts and to the implementation of legislation concerning minors

Judicial organization and administration in relation to the protection of human rights, with particular reference to the protection of human rights in the administration of justice in family courts

Protection of the rights of the child, with special reference to the responsibility of society for the welfare of children deprived of normal home life, juvenile delinquents and children of minority groups