



ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/710
1 February 1955

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS
Eleventh session
Item 3 of the provisional agenda

REVIEW OF THE HUMAN RIGHTS PROGRAMME

Memorandum by the Secretary-General

1. Since its first session in 1947 the Commission on Human Rights has been principally engaged in the drafting of an international bill of human rights, which now consists of a Universal Declaration of Human Rights, a draft covenant on civil and political rights and a draft covenant on economic, social and cultural rights.
2. Now that the Commission has concluded its work on the international bill, it may wish to review its agenda and establish a programme of work for the future. The present agenda of the Commission consists of eighteen items (other than the election of officers, adoption of agenda and adoption of the report). These items have been placed on the agenda in pursuance of General Assembly or Economic and Social Council resolutions, or have been proposed by members of the Commission or by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in the course of the last eight years. Taken as a whole they cannot be said to constitute a programme of work that has been carefully planned. It is suggested, therefore, that the Commission dispose of items which are not likely to be fruitful, defer items which are not urgent and, above all, plan and establish a programme which may be progressively and systematically carried out in the course of the ensuing years.
3. In this connexion the Commission may wish to take into consideration Economic and Social Council resolutions 5 (I) and 9 (II) which set forth its terms of reference, resolution 451 A (XIV) which adopted a human rights programme as one of the major priority programmes of the United Nations, resolutions 324 (XI), 402 (XIII), 451 A (XIV) and 557 A and B (XVIII) concerning concentration of efforts and establishment of priorities, as well as General Assembly resolution 789 (IX) relating to the reduction of documentation.

4. Special attention must, moreover, be called to the Secretary-General's report on the "Review of the organization and work of the Secretariat in the economic and social fields" (E/2598), which was the subject of Council resolution 557 A (XVIII). In that report the general considerations affecting the orientation and scope of the work of the Secretariat in the economic and social fields (paragraphs 2-6) and the considerations directly affecting the human rights programme (paragraphs 21-25) are particularly relevant. These paragraphs are reproduced in the annex, together with the pertinent provisions of the resolutions referred to in (3) above.

ANNEX

I. Commission's Terms of Reference

By Council resolutions 5 (I) and 9 (II) the Commission was instructed, inter alia, to submit proposals, recommendations and reports regarding:

- (a) The international bill of rights;
- (b) International declarations and conventions on civil liberties, the status of women, freedom of information and similar matters;
- (c) The protection of minorities;
- (d) The prevention of discrimination on grounds of race, sex, language or religion; and
- (e) Any other matter concerning human rights not covered by items (a), (b), (c) and (d).

II. Human Rights Programme as a Major Priority Programme

The Economic and Social Council by resolution 451 A (XIV) established six major priority programmes in the economic and social fields. One of the six programmes is a human rights programme which is set forth as follows:

Formulation and Wider Observance of Human Rights

- (a) Fuller dissemination of the Universal Declaration of Human Rights and completion of the covenants on human rights;
- (b) Promotion of human rights and their observance, including elimination of forced labour, of restriction on freedom of association and of all discriminatory measures referred to in the Universal Declaration of Human Rights; and
- (c) Promotion of freedom of information and of the Press.

III. Concentration of Efforts and Establishment of Priority

The Economic and Social Council has adopted a number of resolutions relating to concentration of efforts and establishment of priorities. Reference is hereby made to resolutions 324 (XI), 402 B (XIII), 451 A (XIV) and 557 A and B (XVIII).

In resolutions 324 (XI) and 402 B (XIII) respectively the Council established "criteria for priorities" and "procedures for the establishment of priorities".

The following criteria, according to resolution 451 A (XIV), should receive particular attention:

- (i) Has full account been taken of work already carried out in this field by other organizations brought into relationship with the United Nations?
- (ii) Have the possibilities of action or financing from sources other than the United Nations and specialized agencies been fully explored?
- (iii) Is the organ or agency concerned best suited to undertake the proposed action?
- (iv) Are the results likely to be significant in relation to the outlay of effort and financial resources?
- (v) Will the proposed action further significantly the total effort of the United Nations and the specialized agencies for the promotion of economic and social objectives outlined in the Charter?
- (vi) What is the impact on normal activities of the work which it is proposed to undertake on behalf of another organization?

As to the procedures for the establishment of priorities the Council recommended, inter alia, that the programme of work of each Commission should be divided into broad subjects, a differentiation being made, where practicable, between those of higher and lower priority, and that the broad subjects should be divided into three groups, the first group consisting of continuing projects of high priority, the second group of ad hoc projects also of high priority, and the third group of projects of lower priority.

IV. Organization and Work of the Secretariat in the
Economic and Social Field

The Secretary-General presented to the eighteenth session of the Economic and Social Council a report on his "review of the organization and work of the Secretariat in the economic and social field" (E/2598). In paragraphs 2-6 the Secretary-General stated:

2. It has been my aim to strengthen in every way I find possible the contribution the Secretariat can make towards the achievement of the fundamental aims of Article 55 of the Charter. I have been guided by the same broad priorities and have used the same criteria for the assessment of particular phases of the Secretariat's work. I too have had in mind the question whether the original importance of particular activities may have diminished and whether efforts in new directions were now called for; and how far it is possible further to integrate the economic and social work of the United Nations, especially in respect of the technical assistance programme.

3. But my task and that of the Council have been in certain respects essentially different. In particular, I have had to consider whether particular activities entrusted to the Secretariat are within its proper sphere of competence; whether they are such that an international Secretariat can perform them effectively and efficiently; whether they are suitably assigned by the Council between the Secretariat and the specialized agencies; whether certain research projects might, if appropriate arrangements can be made for planning and direction by the Secretariat, be undertaken by private institutions in different countries. I have had to consider, further, how the administrative resources of the Secretariat should be distributed, what balance should be maintained between research and other activities, what system and arrangement of publications should be followed in order best to mobilize the limited resources of the Secretariat to the accomplishment of its tasks. My primary aim is to ensure that the Secretariat can best fulfil the responsibilities placed upon it. My reason for bringing forward the above considerations, in addition to those of immediate concern to the Council, is that, irrespective of the total funds available, there is a limit to what can be handled effectively by the organization, given the responsibilities that must be assumed by the senior staff.

4. The Council has laid down as an "overriding objective" of the total economic and social programme of the United Nations, the promotion of the economic and social development of under-developed countries. I propose to make this aim the guiding principle in the elaboration of the programmes and projects within the Secretariat, directly concerned with or necessary for the achievement of that objective. This can and should be accompanied by continued pursuit of the extension and promotion of the observance of human rights and fundamental freedoms.
5. In the pursuit of these objectives, there must be some reduction in work of lesser importance; and it is with this aspect of the problem that the following sections of this paper are mainly concerned. I make no recommendation for the elimination of any major programme or project which has been decided upon by the General Assembly or the Council. On the other hand, in line with the reorientation of the Secretariat's work referred to above, I look towards a shift of emphasis from certain of the existing information services and clearing-house activities, a more limited framework for the prosecution of certain work requested of the Secretariat in order to bring it within the proper sphere of the Secretariat's competence, the reconsideration of certain low-priority projects by the organs concerned, the recognition of the full responsibility of specialized agencies for particular tasks clearly within their mandate, the taking over, under the Secretariat's general guidance, of certain research, training and other tasks by universities and other private institutions, and a reduction in the number and length of documents, including the discontinuation, or reduction in the frequency, of certain periodical publications.
6. How these general recommendations may be applied to the work of the present Departments of Economic and Social Affairs raises complex questions and has been the subject of prolonged and careful consideration. At this stage, as stated earlier, the indications I can give are neither exhaustive nor final. Nor can I attempt to deal with each area of work

in a strictly uniform way. In some cases, concrete proposals are made, in others I set out the lines along which action should be developed. Without making specific proposals, in others again I confine myself to raising questions for the consideration of the Council. I attach the greatest importance to the discretion accorded to the Secretary-General under existing Council decisions in regard to the scheduling of work and the use of the Secretariat's staff and resources; and I conceive my forthcoming consultation with the Council as a stage in a continuing process of co-operation which should gradually increase the usefulness of the work of the Secretariat in the service of the Member States.

With respect to the matter of human rights the Secretary-General, in paragraphs 21-26 of his report, stated:

21. The extension and consolidation of Human Rights throughout the world is one of the great objectives of the Charter, and toward the furtherance of this objective the resources of the Secretariat as a whole must be employed as effectively as possible. But in this field of United Nations endeavour, the course of international action is inevitably slow and beset by political difficulties. Consequently, there is a constant danger, where agreement cannot be reached at the inter-governmental level, of the Secretariat being asked for compilations or studies involving effort and funds quite disproportionate to the probable value of the results.

22. Thus, when in 1948, the General Assembly could not agree on the text of an article on the international protection of minorities for insertion in the Universal Declaration of Human Rights, it adopted a resolution on the fate of minorities which referred the question back to the Economic and Social Council with a request that it ask the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities "to make a thorough study of the problem of minorities in order that the United Nations may be able to take effective measures for the protection of racial, national, religious or linguistic minorities". This question has occupied not only the Secretariat but the Commission on Human Rights and the Sub-Commission ever

since with no appreciable results. To refer only to the more recent developments, when the members of the Sub-Commission could not agree on action on this problem at the 1952 session, the Secretary-General was requested to prepare a comprehensive compilation of which note was finally taken in a two-line resolution. At the 16th session of the Council in 1953, a cleavage between delegations resulted in a request for renewed studies by the Commission and the Sub-Commission on this question. The above record provides a striking illustration of a tendency which is to be found in many phases of United Nations work.

23. In the course of my review, I have examined each of the projects requested of the Secretariat in the field of human rights in the light of the long-range purposes of the Council and the General Assembly and such considerations as the proper limitations upon the scope of Secretariat action and the proper distribution of functions between the Secretariat and the specialized agencies. At the Council's 17th session, I called attention to certain of these considerations in connexion with proposals concerning freedom of information. My review, however, has convinced me that in other areas of work also it would be desirable for the Council and the General Assembly carefully to review the mandates given to the Secretariat. By way of example, I might mention two resolutions of the Council involving a great volume of work which has produced little tangible result. I refer to resolutions 75 (V) and 76 (V), as amended, whereby the Secretariat is asked to prepare for the Commission on Human Rights, the Commission on the Status of Women, and the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities confidential lists containing summaries of the many thousands of communications received each year which allege violations of human rights.

24. My review has further made it clear that, rather than placing responsibility for particular phases of work jointly upon the Secretariat and one or more specialized agencies, it is desirable that, wherever possible, responsibility should be placed squarely upon the specialized agencies concerned, in so far as the work falls directly within their statutory competence.

25. In the matter of general documentation on Human Rights, it should be possible to reduce the bulk of the Human Rights Yearbook, without diminishing its usefulness, by the elimination of certain material and by the stricter selection of items to be included in it.

26. In the field of International Narcotics Control, the documentation could be simplified in a number of ways. I propose that the publication of annual reports of Governments in separate fascicules should be discontinued, and that only the summary of annual reports should be issued as a document, the complete reports remaining on file in the Secretariat and being available to all Parties to the Conventions on request. As regards the Narcotics Bulletin, I believe that the ground could be adequately covered in less than four issues a year, particularly in view of the progress made in establishing the bibliography, and I therefore propose that the Bulletin should appear not more than two or three times annually. In view of the annual summaries of laws and regulations prepared by the Secretariat with a cumulative index, I propose that the request for a Digest of Laws should be rescinded. Given the administrative position resulting from the existing Conventions, I believe that some gain in efficiency and economy would result if the Division of Narcotic Drugs and the staff of the PCOB and the Drug Supervisory Body, as well as of the WHO, were to work in the same place and in the same office-building. My proposal in this sense is contained in paragraph 32 below.

Having considered the Secretary-General's report on his review of the organization and work of the Secretariat in the economic and social fields (E/2598) the Economic and Social Council in resolution 557 A (XVIII):

1. Welcomes the attention which the Secretary-General is giving to the above matters;
2. Endorses the approach adopted by the Secretary-General in the above documents to the problem of the concentration of the efforts and resources of the United Nations and the specialized agencies;

3. Expresses its general approval of the suggestions relating to the priorities and programme set forth in sections II, III, IV and V of the Secretary-General's report;
4. Invites the Secretary-General, taking into account the discussions in the Council:
 - (a) To take such action as is appropriate to put to put his suggestions into effect;
 - (b) To submit to the commissions, for their consideration, his plans regarding publications and studies and, in this connexion, to call their attention to General Assembly resolution 789 (VIII) concerning the control and limitation of documents;
 - (c) Pending consideration by the commissions and any further action by the Council, to proceed with his plans in accordance with sub-paragraph (a) above;
 - (d) To pursue his review of the substantive work programme of the Secretariat in the economic and social fields and to furnish further reports to the Council;
5. Transmits the Secretary-General's report together with the records of the discussions thereon in the Council to the specialized agencies for appropriate attention.

Furthermore in resolution 557 B (XVIII) the Council instructed the commissions:

- (a) To concentrate their efforts on issues of major importance and to avoid recommending activities not likely to make a substantial contribution to the promotion of the objectives of the United Nations;
- (b) To submit to the Council for prior approval all requests for new studies or other projects which would require additional budgetary provisions or substantial changes in the work programmes.
