

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/CN.4/736  
8 February 1957

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS  
Thirteenth session  
Item 10 of the provisional agenda

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report by the Secretary-General

1. At its twelfth session (1956) the Commission on Human Rights requested the Secretary-General to explore "the desirability of holding seminars in the field of human rights, especially with regard to the prevention of discrimination and protection of minorities" (E/2844, Chapter III, Section C).
2. At its tenth session (1956) the Commission on the Status of Women requested the Secretary-General to explore the possibility of holding regional seminars relating to the status of women (E/2850, Chapter X).
3. In resolution 605 (XXI) the Economic Council, inter alia, requested the Secretary-General:
  - "(a) To continue to develop all aspects of the programme of advisory services in the field of human rights and, if feasible, to undertake during 1956 a seminar or seminars, preferably on a regional basis, along the lines suggested in the resolutions of the Commission on Human Rights and the Commission on the Status of Women;
  - "(b) To determine, after consultation with the appropriate specialized agencies, the areas or types of activities in the field of human rights in which assistance may be requested from the United Nations in accordance with paragraph 3 (d) of General Assembly resolution 926 (X)."

Note to Governments

4. Pursuant to resolution 605 (XXI), the Secretary-General, on 6 June 1956, addressed to Governments a note verbale in which he drew attention to the Council's decision, as well as to the requests which had been addressed to him by the Commission on Human Rights and the Commission on the Status of Women concerning

/...

the organization of seminars. The Secretary-General suggested for the consideration of governments the following topics for seminars:

- Techniques for preventing and combatting racial discrimination;
- Civic responsibility and increased participation of women in public life in countries where they recently acquired political rights;
- Protection of human rights in the administration of criminal justice.

He also suggested that participants in such seminars should be persons who are responsible for making policy, planning programmes or directing operations, as well as specialists, outstanding authorities and leaders in the fields selected. He further stated that he would appreciate receiving any suggestions which Governments might wish to make in this connexion, including suggestions as to the topics mentioned and others which might be of interest to Governments; also that he would be interested to know whether Governments would consider sponsoring a seminar and acting as host country.

5. In response to the note verbale, 28 Governments forwarded to the Secretary-General observations or comments on the advisory services programme. The Dominican Republic, Jordan, the Philippines, Romania and the United States of America took a positive attitude towards the possibility of acting as host countries for seminars, particularly on the subject of civic responsibility and increased participation of women in public life. Belgium and the United Kingdom indicated their willingness to comply with requests for experts and training of fellows.

#### Organization of Seminars

6. The Secretary-General also convened an Expert Working Group to consider the possibility of holding, in 1957, a seminar on the subject of civic responsibilities and increased participation of Asian women in public life. The Expert Working Group, which was organized by the United Nations Technical Assistance Administration and the Division of Human Rights, met in Bangkok from 15 to 19 October 1956. The Governments of Burma, Ceylon, India, Indonesia, Laos, Pakistan and Thailand nominated experts to participate in the Expert Working Group. Representatives of the United Nations Educational, Scientific and Cultural Organization, Food and Agriculture Organization, World Health Organization and the United Nations Children's Fund were present, and the representative of the United States of America on the Commission on the Status of Women acted as observer for her Government.

/...

7. The Expert Working Group agreed that a seminar should be held in 1957 on the subject of civic responsibilities and increased participation of women in public life, that it should be organized on a wide regional basis, and that it should be an Asian seminar. The Thai Government offered to act as host for the seminar, whereupon the observer from the United States of America indicated that her Government would defer its own offer to be host to such a seminar. The Expert Working Group also recommended a series of main headings for topics to be considered for the seminar programme.

8. The seminar will be held in Thailand in the second half of 1957. The Expert Working Group agreed that material arrangements for the seminar would be the responsibility of the Secretary-General in consultation with the host country.

9. As part of this same exploratory process, the Secretary-General is investigating the possibility of convening an expert working group late in 1957 with a view to organizing a seminar in Latin America in 1958 on the protection of human rights in the administration of criminal justice. A series of seminars on this subject might be organized in other years in other parts of the world.

10. The topic "protection of human rights in the administration of criminal justice" is admittedly very broad. It covers problems of adjective (procedural) and, to some extent, substantive law. Not all the problems which come within its scope might lend themselves to study by a United Nations seminar; some of them might be appropriate in some regions of the world and not in others. One task of the expert working group would be to select such specific problems as would lead to profitable discussion by a subsequent seminar. Such problems might include, for instance, the principles of the independence and impartiality of the judiciary; disciplinary, civil and criminal responsibility of judges and law enforcement officers who violate the rights of individuals; grounds on which, and procedures in accordance with which, a person may be arrested and detained; procedural safeguards or remedies against arbitrary arrest and detention; the right to conditional release (bail, cautionnement); protection of the accused from any treatment tending to impair his mind and body (administration of drugs, hypnosis, etc.); the presumption of innocence; the obligation of the court to find the objective truth notwithstanding the confession of the accused; the rights of prosecution and of the accused and his counsel; the principle of nullum crimen sine lege and the principle of non-retroactivity of penal law; the prohibition of cruel, inhuman or degrading punishment.

/...

### The Role of Specialized Agencies

11. Pursuant to operative paragraph 2 (b) of Council resolution 605 (XXI) the Secretary-General wrote to the specialized agencies outlining a possible general basis for determining the areas or types of activities in the field of human rights in which assistance might be requested from the United Nations.

12. It was pointed out in the above-mentioned letter that careful planning was required in order to ensure that there was no duplication of activities in fields coming within the purview of specialized agencies. The letter suggested that:

"Broadly speaking it may be assumed that advisory services in the field of civil and political rights should normally fall within the United Nations programme, while assistance in the promotion of any economic, social or cultural rights for which a specialized agency is responsible should, as a rule, be rendered by that agency. There are, however, areas in which the United Nations and a specialized agency or agencies have common responsibility... In initiating activities in such areas there should be consultation and, if feasible, co-operation between the United Nations and specialized agencies."

13. The letter also drew attention to the statement made by the Secretary-General at the opening meeting of the twelfth session of the Commission on Human Rights (E/CN.4/L.416) in which he outlined a philosophy which might guide the initial planning of the programme of advisory services.

14. UNESCO has indicated its interest in the three topics which the Secretary-General proposed for seminars; and the WHO has referred to its interest in a special aspect of the second topic proposed for a seminar, namely "Civic responsibilities and increased participation of women in public life in countries where they have recently acquired political rights".

### Fellowships

15. During the year, one fellowship was awarded for the study, in the United Kingdom, of problems involved in the protection of human rights in the administration of justice.

### Experts

16. On 14 January 1957, the Government of Haiti requested the Secretary-General to send to Haiti, under General Assembly resolution 926 (X), an expert in election procedures. On 15 January 1957, the Secretary-General appointed Mr. Guy Périér de Féral, member of the Conseil d'Etat of France, as an expert to advise the

/...

Haitian Government on the development of electoral procedures and techniques with particular attention to the problem of identification of voters and candidates. Mr. Périér de Féral spent a period of eight days in Haiti from 17 January to 26 January 1957 and made a report to the Haitian Government.

Reference to Advisory Services in Assembly Resolution

17. At its eleventh session, on 30 January 1957, the General Assembly adopted a resolution on the "treatment of people of Indian origin in the Union of South Africa", in which inter alia it recalled its resolution 926 (X) of 14 December 1955, which provides a unified programme under the name of advisory services in the field of human rights.

News Personnel Programme

18. The Commission will note that, in resolution 605 (XXI) the Council approved a news personnel project (E/2839) "on the understanding that in the development of the project due emphasis will be given to the promotion of freedom of information". A news personnel seminar was held in Geneva from 23 July to 8 August 1956 and a number of fellowships were awarded to news personnel. At the seminar and in briefings of fellows, considerable attention was paid to problems of freedom of information and to the work of the United Nations in human rights.

19. For 1957 the programme of advisory services in human rights does not include any news personnel project such as that authorized under resolution 605 (XXI). Aspects of freedom of information, however, continue to be relevant to the human rights advisory services programme.

20. The Secretary-General will submit a separate report to the Economic and Social Council on the news personnel programme.

-----