

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.4/1330
25 January 1979
Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Thirty-fifth session
Item 26 of the provisional agenda

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report of the Secretary-General

I. DECISIONS AND RECOMMENDATIONS OF UNITED NATIONS BODIES ADOPTED
DURING 1978 THAT AFFECT THE ADVISORY SERVICES PROGRAMME IN THE
FIELD OF HUMAN RIGHTS

A. Commission on Human Rights (thirty-fourth session); Economic and Social
Council (first regular session, 1978)

1. The Commission on Human Rights at its 1455th meeting, on 24 February 1978, adopted resolution 11 (XXXIV) concerning Advisory Services in the field of human rights by which it recommended a draft resolution for adoption by the Economic and Social Council. ^{1/} On 5 May 1978, during its first regular session, the Council adopted the draft resolution recommended by the Commission without any modification as resolution 1978/14.

2. In compliance with the request of the Council the following information is presented on the implementation of this resolution.

3. With regard to paragraph 1 of the resolution which requested that, commencing with the 1980-1981 programme budget, the financing of the Advisory Services Programme in the field of human rights be arranged as a part of the budget of the human rights programme of the United Nations, the Secretary-General informs the Commission that the question is under consideration by the appropriate bodies of the United Nations.

4. In paragraph 2 of the resolution the Secretary-General was requested to organize at least two seminars and one training course annually and also to grant at least 25 fellowships each year. As stated in the report to the Commission in 1978, the amount set aside for the programme of advisory services for the biennium 1978-1979 was \$200,000 (see E/CN.4/1230, para. 20). With these limited funds at his disposal the Secretary-General regrets to inform the Commission that it is not possible to comply fully with the request of the Council (see below, sections II and III).

^{1/} See Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34), draft resolution I.

5. In paragraph 3 of the resolution the Secretary-General was authorized to supplement the number of the seminars, fellowships and training-courses possible under the advisory services programme in the regular budget of the United Nations by arranging for additional seminars, fellowships and training courses which could be financed by Governments willing to do so. A note verbale was sent by the Secretary-General to all Governments of Member States calling their attention to this paragraph. At the end of 1978 six replies had been received by the Secretary-General, two of which informed him that the note had been submitted to the appropriate authorities for their consideration; three replied in the negative, while one Government offered to host a seminar in 1979 provided that the United Nations would be willing to defray part of the expenses and if that were not the case the question would be re-examined in 1981.

B. General Assembly (thirty-third session)

6. It will be recalled, that the General Assembly at its thirty-second session adopted resolution 32/127 concerning regional arrangements for the promotion and protection of human rights, by which the Secretary-General was requested, under the programme of advisory services in the field of human rights, to give priority to the organization, in areas where no regional commissions on human rights exist, 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.

7. In response to the request contained in this resolution the Secretary-General prepared a progress report on its implementation (A/33/219) which was considered by the General Assembly at the thirty-third session. In his report the Secretary-General gave a detailed explanation concerning the financial difficulties he had encountered in implementing the advisory services programme. The Secretary-General also informed the General Assembly that the possibility of holding the required seminars after 1979 would depend on the budgetary allocation for the programme in the years to come.

8. Following its consideration of this report, the General Assembly adopted resolution 33/167 in which it requested once again that the Secretary-General, under the programme of advisory services in the field of human rights, give priority to the consideration, in regions where no regional commission on human rights exists, 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 and that at least one such seminar should be organized during 1979.

II. SEMINARS

9. In 1978, one world-wide seminar was held under the programme of advisory services. This seminar which dealt with the question of "National and local institutions for the promotion and protection of human rights" was organized pursuant to General Assembly resolution 32/123 and in connexion with the observance of the thirtieth anniversary of the Universal Declaration of Human Rights. The seminar was held at Geneva, from 18 to 29 September. In response to the request of the Commission on Human Rights in its resolution 23 (XXXIV) of 8 March 1978, the seminar included in its report (ST/HR/SER.A/2 and Add.1) certain possible guidelines for the structure and functioning of national institutions for the promotion and protection of human rights.

10. As requested by the General Assembly in resolution 32/123 the report of the seminar was submitted to the Assembly at its thirty-third session. Following its consideration of the report, the General Assembly adopted resolution 33/46 by which it took note of the report with appreciation.

11. In view of the very limited funds it was not possible for the Secretary-General to make definite plans for future seminars. A number of Governments which had expressed interest in acting as hosts to future seminars had withdrawn their tentative invitations when they were informed that due to the current financial difficulties the Secretary-General was not in a position to accept their invitations, unless the Governments concerned would be willing to defray the total cost of the seminar, including the part which in the past was the responsibility of the United Nations. Except for the seminar on the usefulness and advisability of the establishment of regional commissions for the promotion and protection of human rights, to be organized pursuant to General Assembly resolution 33/167, referred to in paragraph 8 above, the Secretary-General has to inform the Commission that no other seminar is planned for 1979.

III. FELLOWSHIPS AND TRAINING COURSES

A. Fellowships: extent of participation in 1978 programmes, nature of awards, and programme for 1979

12. 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.

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

14. In 1978 the Secretary-General received 57 governmental nominations for individual human rights fellowships. The Secretary-General has attempted to ensure a broad distribution of the fellowships among the nationalities of the applicants. In 1978, with the financial resources available, recommendations were made for the award of 15 individual fellowships to candidates from 15 different countries (see annex).

15. Candidates nominated by Governments in 1978 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.

16. In 1979 the Secretary-General will continue to provide, as appropriate, human rights fellowships within the available resources.

B. Training courses

17. Owing to the limited funds available, no training course was held in 1978. Depending on the availability of funds, the Secretary-General will explore with interested Governments the possibilities of organizing training courses on human rights in 1979 and future years in accordance with Commission on Human Rights resolution 17 (XXIII) and Economic and Social Council resolution 1970/14.

Annex

TABLES OF RECIPIENT COUNTRIES AND THEIR RESPECTIVE TOPIC OF STUDY

<u>Country</u>	<u>Topic of study</u>
Bangladesh	Judicial organization and administration in relation to the protection of human rights
Benin	Protection of human rights in the solution of labour disputes
Cyprus	Protection of human rights in the administration of justice
Dominican Republic	Protection of human rights of immigrants
Ireland	Parliament, planning and human rights: an examination of the role of the Irish Parliament in economic and social planning with particular emphasis on the protection of economic and social rights with some international comparison
Israel	Protection of human rights in armed conflicts
Lesotho	Protection of human rights in the administration of justice
Morocco	The protection of human rights in the defence and procedure of extradition
Panama	Human rights aspects of criminology
Peru	Protection of human rights in the administration of justice with special emphasis on criminal law and procedure
Rwanda	Judicial and other remedies against the abuse of administrative authority
Sri Lanka	The use of the writ of <u>habeas corpus</u> in the protection of human rights
Union of Soviet Socialist Republics	Protection of human rights in a multinational society
Yemen Arab Republic	Protection of human rights of immigrants and resident aliens
Zaire	The international dimensions of the right to development as a human right in relation to other human rights based on international co-operation