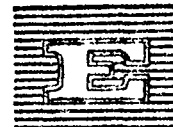


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COMMISSION ON HUMAN RIGHTS

NOTES ON THE PROVISIONAL AGENDA AND DOCUMENTATION FOR THE
ELEVENTH SESSION OF THE COMMISSION ON HUMAN RIGHTS

Most of the items which are before the Commission at its eleventh session are items which have been deferred from previous sessions of the Commission, dating back as far as the second session in 1947. A brief indication of the origin of each item is given below together with a note on the relevant documents. Any new documents are indicated by an asterisk.

Provisional
Agenda item

1. Election of officers
No document
2. Adoption of the agenda
Provisional agenda (E/CN.4/707*)
3. Review of Programme and Establishment
of Priorities

The General Assembly, in resolution 533 (VI), and the Economic and Social Council, in resolutions 324 (XI), 402 B I and II (XIII) 451 A (XIV), 497 C (XVI) and 557 (XVIII) have made certain recommendations on the concentration of efforts and establishment of priorities. In a memorandum by the Secretary-General (E/CN.4/710*, and 710/Corr.1* in English only) attention is drawn to these and other resolutions and it is suggested that the Commission may wish to establish a programme of work to be undertaken in the next few years.

Provisional
Agenda Item

4. Recommendations concerning international respect for the Right of Peoples and Nations to Self-Determination

In pursuance of resolution 637 C (VII) and 738 (VIII) of the General Assembly and resolutions 472 (XV) and 510 (XVI) of the Economic and Social Council the Commission at its last session adopted two resolutions on this item proposing the establishment of two commissions by the General Assembly. The Council, in resolution 545 G (XVIII), referred these resolutions back to the Commission, and the General Assembly, in resolution 837 (IX), asked the Commission to complete its recommendations on the above item. Further details of the action of the Council and the General Assembly are given in a Note by the Secretary-General (E/CN.4/708*). The texts of the resolutions adopted by the Commission are contained in the report on its tenth session (E/2573, para. 335).

5. Development of the work of the United Nations for wider observance of, and respect for, human rights and fundamental freedoms throughout the world

The General Assembly, in resolutions 494 (V) and 608 (VI), and the Economic and Social Council, in resolution 358 (XII), drew the attention of the appropriate organs of the United Nations to those portions of the Memorandum of the Secretary-General on the development of a 20-year programme for achieving peace through the United Nations, with which they are particularly concerned and invited their comments thereon. The attention of the Commission was drawn to the action of the General Assembly and the Council in Notes by the Secretary-General submitted at its seventh and eighth sessions (E/CN.4/535 and 535/Add.1). The parts of the Secretary-General's Memorandum which are of interest to the Commission on Human Rights may be found in (E/1970, paragraphs 25-61).

At the ninth session of the Commission (April-May 1953) the United States representative presented proposals on annual reports, advisory services and studies on specific aspects of human rights under this item (See Report of the Commission E/2447, Chapter V, paragraphs 261-284). In resolution 501 C (XVI) of the Economic and Social Council, Member States and the specialized agencies were requested to submit their comments on and amendments to the three draft resolutions.

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In resolution 739 (VIII) of the General Assembly, transmitted to the Commission by Council resolution 510 (XVI), the Commission was asked to prepare recommendations on the three draft resolutions at its tenth session and to take account of the comments received, and of the views expressed at the General Assembly's eighth session. The Commission's discussion at its tenth session was confined to one meeting, during which the representative of the United States presented revisions of the draft resolutions (See Report of the tenth session: E/2573, Chapter V, paragraphs 336-362). In a note presented to the Commission at its tenth session (E/CN.4/698) attention was drawn to General Assembly resolution 739 (VIII), and to the comments of Governments and specialized agencies received under Council resolution 501 C (XVI). (See E/CN.4/690 and Add.1-12 and E/CN.4/691 and Add.1). The General Assembly's discussions at its eighth session may be found in the following documents: A/C.3/SR.503-511 and 527-529.

6. Annual Reports on Human Rights

At its sixth session (March-May 1950) the Commission adopted a draft resolution on annual reports based on a proposal by the representative of France. (See Report of the Commission, E/1681, para. 47). In resolution 303 E (XI) the Council returned the resolution to the Commission for further study, together with the records of the Council's discussion (See E/AC.7/SR.141-143). A Note by the Secretary-General (E/CN.4/517) gives the background of the item and contains a summary of the Council's discussion.

At the Commission's tenth session the representative of France requested that the study of the French proposal be carried over to the next session. (See Report of the Commission: E/2573, para. 361).

The comments of Governments and specialized agencies requested under resolution 501 C (XVI) of the Council and listed under item 5 above may also be relevant under this item.

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7. Yearbook on Human Rights

In resolution 303 H (XI) the Council made certain recommendations concerning the Yearbook, and, in particular, asked the Secretary-General to draw up a plan indicating, for a number of years, which right or group of rights should be treated. The plan was issued to the Commission at its seventh session (April-May 1951) (E/CN.4/522) but has not been considered by it. In a Note issued at the eighth session (E/CN.4/647) the Secretary-General drew attention to certain opinions on the Yearbook expressed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

8. Report of the Seventh Session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its seventh session, which was held at United Nations Headquarters from 4 January to 28 January 1955 is contained in document E/CN.4/711*.

9. Conference of Non-Governmental Organizations interested in the Eradication of Prejudice and Discrimination

In resolution 546 (XVIII) the Council convened a Conference of Non-Governmental Organizations interested in the eradication of prejudice and discrimination which is to be held in Geneva immediately before the Commission's session opens, from 31 March-4 April 1955. The Commission is asked by the Council to direct the Sub-Commission on the Prevention of Discrimination and Protection of Minorities to comment on the Conference. A Note by the Secretary-General gives some background information on the convening of the Conference. (See E/CN.4/709*).

10. Definition and Protection of Political Groups

The Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fourth session (October 1951) recommended that the Commission place on its agenda studies for the definition and protection of political groups. This was adopted at a time when it was proposed to discontinue the Sub-Commission. It has been on the Commission's agenda since its eighth session (April-June 1952). Background information is contained in a Note by the Secretary-General (E/CN.4/652).

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Agenda item

11. Injuries suffered by groups through total or partial destruction of their media of culture and their historical monuments

This item, like item 10, was placed on the Commission's agenda at its eighth session (1952) on the recommendation of the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fourth session (October 1951). A note by the Secretary-General contains the background information (E/CN.4/653).

12. General Assembly resolution 644 (VII) on racial discrimination in Non-Self-Governing Territories

The General Assembly adopted, on 10 December 1952, resolution 644 (VII) on racial discrimination in non-self-governing territories and called the attention of the Commission to it. It has been on the Commission's agenda since its ninth session (April-May 1953).

In a Memorandum by the Secretary-General (E/CN.4/681) the operative paragraphs of resolution 644 (VII) are noted and the discussion of the draft resolution in the Committee on Information from Non-Self-Governing Territories and in the General Assembly is summarized.

13. Draft Declaration on the Rights of the Child

In resolution 309 C (XI) the Council asked the Commission to consider the draft Declaration on the Rights of the Child, as prepared by the Social Commission, at the same time as the Universal Declaration of Human Rights, taking into account the records of the Council. (See E/SR.387 and E/AC.7/SR.125-128). This item has been on the Commission's agenda since its seventh session (April-May 1951).

The text of the draft Declaration and background information is given in a Memorandum by the Secretary-General (E/CN.4/512).

14. Old Age Rights (Welfare of the Aged)

The General Assembly, in resolution 213 (III) of 4 December 1948, referred a draft Declaration of old age rights, submitted to it by the Argentine delegation, to the Economic and Social Council for study. In resolution 198 (VIII) the Council asked the Secretary-General to prepare summarized documentation relating to this question for submission to the Social Commission and to the Commission on Human

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Rights. "Summarized documentation on measures for the benefit of aged persons and the effect of such measures on their standard of living" (E/CN.5/200/Add.1 and E/CN.4/362/Add.1) was submitted to both commissions in 1950 (Sixth Session). In resolution 309 (XI) the Council noted the summarized documentation and asked the Secretary-General to initiate a work programme for promoting the welfare of aged persons, taking into consideration any views expressed by the two Commissions. It deferred any decision on the advisability of drafting a declaration of old age rights until completion of the necessary preparatory studies and reports.

The Population Commission at its sixth session (1951) indicated its interest in the demographic aspects of the problem of retired and aged persons, and asked the Secretary-General to undertake a study on the question (E/1989, paras. 20-21).

A study on the Aging of Populations and its Economic and Social Implications will be distributed in the near future. The ILO issued a report on the Age of Retirement in January 1955 for consideration at a Regional Conference held in Geneva. A section on "Problems of Old Age" was included in the Preliminary Report on the World Social Situation (E/CN.5/267/Rev.1, paras. 126-127) and a section on the "Welfare of the Aged" is included in the International Survey of Programmes of Social Development (E/CN.5/301) which is on the Social Commission's agenda for its tenth session (May 1955).

The text of the draft Declaration on Old Age Rights is contained in the Official Records, Third Session, General Assembly Annexes, A/C.3/213/Rev.1. A Note by the Secretary-General (E/CN.4/518/Rev.1, in English, E/CN.4/518 in other languages) contains background information on this item.

15. Right of Asylum

At its second session (December 1947) the Commission decided to examine at an early opportunity the question of the inclusion of the right of asylum of refugees from persecution in the International Bill of Human Rights or in a special convention. The item has been on the Commission's agenda since its fifth session (May-June 1949). In a Memorandum by the Secretary-General (E/CN.4/713*) the activities of various organs of the United Nations relating to the right of asylum are described. The discussions on the right of asylum in connexion with the International Bill of Human Rights are included.

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16. Resolution 154 D (VII) and Decision of 2 August 1949 of the Economic and Social Council dealing with the freedom to choose a spouse, etc.

In resolution 154 D (VII) of 23 August 1948, the Economic and Social Council transmitted to the Commission observations of the Commission on the Status of Women and certain proposals relating to the question of freedom to choose a spouse. The item has been on the Commission's agenda since its sixth session (1950). The observations and proposals are contained in a Note by the Secretary-General (E/CN.4/511/Rev.1, in English only and E/CN.4/511 in other languages), and information on the activities of other organs relating to this question are summarized in a further Note by the Secretary-General (E/CN.4/712*).

17. Local Human Rights Committees

In resolution 9/2 of 26 June 1946 the Council invited Members of the United Nations to consider the desirability of establishing information groups or local human rights committees. The Commission has never considered this item which has been on its agenda since the second session (December 1947). It was deferred at the third (1948) and fifth (1949) sessions until the measures of implementation of the draft covenant had been decided upon (E/800, para.22 and E/1371, para. 30). In a Memorandum (E/CN.4/519) and a Note (E/CN.4/519/Add.1) by the Secretary-General background information on this item is given, including summaries of the replies of governments to the Council's invitation to set up such groups or committees. The Memorandum also contains certain suggestions regarding the functions which they might perform.

18. International Court of Human Rights

The Commission decided at its sixth session (March-May 1950) to take up at its seventh session the question of an International Court of Human Rights (See Report of the Commission E/1681, paras. 46 and 81). The item has been on the Commission's agenda since its seventh session (1951). Background information is contained in a Note by the Secretary-General (E/CN.4/521, and 521/Corr.1 in English only).

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19. Continuing validity of Minorities treaties and Declarations

In resolution 116 C (VI) of March 1948 the Council asked the Secretary-General to undertake a study regarding the validity of minorities treaties and declarations. This study (E/CN.4/367 and 367/Corr.1 in English only) was submitted to the Commission at its sixth session (March-May 1950). It was briefly discussed at that session, when the Commission noted it, transmitted it to the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its information and postponed consideration of the study until its seventh session (April-May 1951). An addendum to the study was issued at that session (see E/CN.4/367/Add.1). Consideration of the item by the Commission has since been deferred.

20. Communications

(a) Lists of Communications and Replies from Member States

Confidential and non-confidential lists of communications have been prepared as at previous sessions in accordance with Council resolutions 75 (V), 275 B (X) and 192 A (VIII). The confidential list and replies of Governments will be distributed to members of the Commission only at a private meeting during the eleventh session (HR/Communications List No. 5* and HR/Communications Nos. 52-71*). The non-confidential list of communications dealing with the principles involved in the promotion of universal respect for and observance of human rights may be found in document E/CN.4/CR.24*.

(b) Procedure for handling of communications relating to human rights

This item has been on the Commission's agenda since its seventh session (April-May 1951) following the decision of the Commission at its sixth session to defer study of the Secretary-General's report on this question (E/CN.4/165, 165/Corr.1 and 165/Add.1). This decision is recorded in the Report of the Commission on its sixth session, E/1681, para. 56. In a Memorandum issued for the current session of the Commission, attention is drawn to resolution 557 A (XVIII) of the Council and to the Secretary-General's observations on the preparation of confidential lists of communications (E/CN.4/706*).