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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Regional arrangements for the promotion and protection of human rightsReport of the Secretary-General

I. INTRODUCTION

1. The present report was prepared in accordance with General Assembly resolution 38/97 of 16 December 1983. In paragraph 4 of that resolution, the Assembly invited the Secretary-General to submit to it at its thirty-ninth session a further report amplifying the report prepared in accordance with resolution 37/172 (A/39/480).
2. Pursuant to that request, the Secretary-General sent letters to the specialized agencies, the regional commissions and the regional intergovernmental organizations which had not done so inviting them to communicate to him their views on exchanges of information between the United Nations and the regional organizations and bodies for the promotion and protection of human rights, together with their views on ways and means of furthering such exchanges.
3. As at 13 September 1984, substantive replies had been received from three specialized agencies: the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Bank; two regional commissions: the Economic Commission for Latin America and the Caribbean (ECLAC) and the Economic and Social Commission for Asia and the Pacific (ESCAP); and two regional intergovernmental organizations: the Council of Europe and the Organization of American States. Those replies are reproduced below.
4. The World Health Organization, as well as the International Fund for Agricultural Development, informed the Secretary-General that they had no relevant information or comments to transmit in response to his request, while the International Labour Organisation referred to its reply of 1983 (see A/38/480, sect. III).

II. INFORMATION RECEIVED FROM SPECIALIZED AGENCIES

A. FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

[Original: English]

[11 June 1984]

1. FAO maintains official relations with about 261 intergovernmental and international non-governmental organizations whose activities are contributing to the furtherance of the objectives of the Organization. ... Many of these are regional organizations, and co-operative arrangements include the exchange of documentation and information.

2. As reported earlier (A/38/480, para. 13), FAO's main contribution to regional arrangements for the promotion of human rights is the assistance it is giving to the establishment of regional centres for integrated rural development. Two such centres for Asia and the Pacific and for Africa are already operational, and a Conference of Plenipotentiaries (Rome, 26 to 28 September 1983) adopted an agreement for the establishment of a similar centre in the Near East.

B. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

[Original: English]

[8 August 1984]

1. UNESCO continues to encourage the development of national and regional institutes for human rights teaching, as it is one of the main activities which figure in the Plan for the Development of Human Rights Teaching as stated in the organization's Approved Programme and Budget for 1984-1985.

2. UNESCO intends to assist in the organization of regional seminars on human rights in Latin America and in Africa in 1984. A regional training seminar will be organized in Latin America by ALDHU (Latin American Association of Human Rights) and in Africa by CRIDHAC (Centre de Recherche Interdisciplinaire pour la promotion et la protection des droits de l'homme en Afrique Centrale) and the Institute of Human Rights and Peace in Dakar.

3. A feasibility study will also be undertaken on the possibility of establishing an international documentation centre for teaching of human rights, with a view to searching for ways and means of better co-ordinating regional and national institutes for human rights teaching and research.

4. In addition, in accordance with resolution 15.3, adopted by the General Conference of UNESCO at its twenty-second session, UNESCO will reinforce its activities to implement the Plan for the Development of Human Rights Teaching by:

(a) Intensification of co-operation with a view to strengthening regional and national institutions which contribute to human rights training and research;

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(b) Strengthening of co-operation with non-governmental organizations and professional associations in order to promote training activities and the spread of information in the field of human rights, in particular by fostering the establishment of networks for exchanges of information and documentation in that field;

(c) Extension of interdisciplinary research on the causes and consequences of violations of human rights, fundamental freedoms and the rights of peoples;

(d) Continued publication and distribution of UNESCO's bulletin entitled Human Rights Teaching, in order to encourage research, teaching and co-ordination by better circulation of the findings of research into human rights, fundamental freedoms and the rights of peoples.

C. WORLD BANK

[Original: English]

[13 April 1984]

1. The World Bank's mandate is to aid developing country peoples through economic development.
2. Through its development projects and programmes, the Bank has a large network of communications and supports efforts with regional bodies. This includes extensive co-operation with the African, Asian, Inter-American, Caribbean and Islamic regional banks; senior-level Bank staff attend as observers the annual meetings of the Board of Governors of the banks. To give an example of particular co-operation with one of the Banks, the World Bank is co-financing projects with the Islamic Development Bank (IDB) for the seventh year (a total of 13 projects) and also has had technical co-operation with IDB for staff training needs. The Bank attends a wide range of meetings sponsored by the regional commissions: for example Bank staff attended six meetings of the Economic Commission for Africa in 1983, dealing primarily with the Transportation and Communications Decade for Africa. In addition, there is an active exchange of papers and staff visits. Contacts are also maintained through the Bank's regional missions in the cities in which the regional commissions are based.
3. Regional groupings on every continent have worked with the Bank on a wide range of development activities. The Bank, for example, attends meetings of the Southern Africa Development Coordination Conference (SADCC); a more focused regional organ with which the Bank co-operates is the Niger Basin Authority. In some cases, the Bank has sponsored a regional organ such as the Caribbean Group for Co-operation in Economic Development which is the principal multilateral instrument for the mobilization of external resources for the region. There are an enormous number of comparable regional organs with which the Bank works in order to achieve a higher standard of living for people in the area.

4. Two programmes in the Bank - the Economic Development Institute and the Research Programme - further extend the opportunities for co-operation with regional groups: the former trains officials, often in conjunction with regional training institutes that co-sponsor the training courses held both in Washington and in overseas locations, and the latter through its extensive contacts in regard to the studies and publications it produces on development issues.

5. A mutually reinforcing exchange of both policy views and practical project-level information between the Bank and regional bodies is fruitful for both institutions concerned and of direct benefit to the recipients of development assistance.

III. INFORMATION RECEIVED FROM REGIONAL COMMISSIONS

A. ECONOMIC COMMISSION FOR LATIN AMERICA AND THE CARIBBEAN

[Original: English]

[16 March 1984]

ECLAC will continue to co-operate with the Centre for Human Rights with regard to the promotion and protection of human rights as appropriate within the geographical area covered by the Commission. As regards exchanges of information, ECLAC is willing to collaborate, taking into account its mandate, which is to promote the economic and social development of Latin America and the Caribbean.

B. ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC

[Original: English]

[2 July 1984]

1. ESCAP, as an arm of the United Nations, is deeply committed to the cause of human rights and seeks to promote it through various development activities.

2. Given the basic mandate of the Commission for regional development and its modest resources, the kind of information which can be furnished would be limited to that which bears on some aspects of the rights to development and, more particularly, that which can be generated in the course of the normal development activities of ESCAP. This means that the information could pertain to such concerns as conditions of poverty, employment, income distribution, migrant workers, access to education, health and other basic needs services, status of women, children, youth, the elderly and disabled persons, consumer protection and the social consequences of the application of science and technology, but not necessarily with an explicit human rights orientation or focus.

3. If ESCAP is to engage in human rights focused development information exchanges, it will need additional resources provided specifically for that purpose.

IV. INFORMATION RECEIVED FROM REGIONAL INTERGOVERNMENTAL ORGANIZATIONS

A. COUNCIL OF EUROPE

[Original: English]

[4 July 1984]

Introduction

1. The Council of Europe is a regional organization with a present membership of 21 States.* It was created by the signature of its Statute in London on 5 May 1949. It has two organs: an intergovernmental body, the Committee of Ministers, consisting of the Ministers for Foreign Affairs of the member States which, under the terms of the Statute, is "the organ which acts on behalf of the Council of Europe"; and a parliamentary body, the Consultative Assembly, which consists of 170 members of the 21 national Parliaments and is "the deliberative organ" of the Council.

2. Article 1 of the Council of Europe Statute stipulates categorically that:

"... Participation in the Council of Europe shall not affect the collaboration of its members in the work of the United Nations ...".

Thus, from its beginning and by a constitutional rule, the Council of Europe - a regional organization - has been associated with the United Nations.

3. The relationship of the Council to the United Nations was succinctly stated at the first session of the Assembly in 1949 by one of its most distinguished members, Sir Winston Churchill, in the following words:

"We are engaged in the process of creating a European unit in the world organization of UNO. I hope that we shall become one of several Continental units which will form the pillars of the world instrument for maintaining security and be the best guarantee of maintaining peace. ... We are not in any way the rival of the world organisation. We are a subordinate but essential element in its ultimate structure."

The European Convention on Human Rights

4. The aim of the Council of Europe is to achieve greater unity between its members. This aim is pursued by the conclusion of conventions and agreements and the adoption of common policies in the various fields of its competence.

* Austria, Belgium, Cyprus, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey and United Kingdom of Great Britain and Northern Ireland.

5. One of these is "the maintenance and further realisation of human rights and fundamental freedoms". In the Preamble to the Statute, the Members "re-affirm their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy", while article 3 of the Statute provides that every member of the Council of Europe must accept the principles of the rule of law and the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms.
6. The maintenance of human rights and fundamental freedoms is thus not only one of the objectives of the organization, it is actually a condition of membership.
7. The Council of Europe has taken the first measure to transform on a regional basis the rights and freedoms set out in the Universal Declaration of Human Rights into legal obligations binding on States and, at the same time, to set up an international machinery to ensure that those obligations are respected.
8. The conclusion of the European Convention on Human Rights is indeed one of the most notable achievements of the Council of Europe. This Convention, which was opened for signature on 4 November 1950 and came into force on 3 September 1953, is now binding on all 21 member States of the Council of Europe.
9. The Preamble of the European Convention takes as a point of departure the Universal Declaration of Human Rights.
10. The Contracting Parties re-affirm their profound belief in those fundamental freedoms which are the foundation of justice and peace in the world and state that they are "resolved, as the Governments of European countries which are likeminded and have a common heritage of political traditions, ideals, freedom and the rule of law, to take the first steps for the collective enforcement of certain of the rights stated in the Universal Declaration".
11. Through the Convention the member States of the Council have set up a system for the international collective protection of human rights which at the time was without precedent in the history of international relations. The special nature of this system consists in the work of judicial organs empowered to examine alleged violations of the Convention not only on the initiative of Governments but also that of individuals, non-governmental organizations or groups of individuals. In fact, in signing the Convention the members of the Council of Europe agree not only to bring their national legislation and practice into accord with the rights guaranteed by the Convention but also to submit to international control with regard to these rights; this control is exercised by two independent organs, namely, the European Commission and Court of Human Rights and the Committee of Ministers of the Council of Europe.
12. The control machinery set up by the Convention is of an independent international nature. However, it can only be invoked by individual applicants after they have exhausted the domestic remedies of the country concerned. Under this system of control the European Commission of Human Rights may deal with all violations of the guaranteed rights and freedoms allegedly committed by one of the

Contracting States. For this purpose any Contracting State may bring an application (State application) under the conditions specified in article 24 of the Convention.

13. Furthermore an individual, group of individuals or non-governmental organization may also bring an application (individual application) before the Commission against the State exercising jurisdiction over him or it, provided the State concerned has recognized this right of individual application by an express declaration (art. 25). So far 17 Contracting States have made such declarations, namely, Austria, Belgium, Denmark, France, the Federal Republic of Germany, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom.

14. The Commission's first task is to decide on the admissibility of an application. If it declares it admissible it examines all the facts and places itself at the disposal of the parties with a view to reaching a friendly settlement of the case based on respect for human rights, which settlement must be approved by the Commission. If it does not achieve a friendly settlement it draws up a report stating the facts and setting out an opinion on whether or not the facts found disclose a violation of human rights on the part of the respondent States. This report is sent to the Committee of Ministers of the Council of Europe and remains confidential.

15. Later the case may be sent to the European Court of Human Rights within three months from the date of the transmission of the report but only if the respondent State has declared that it accepts the compulsory jurisdiction of the Court or, failing this, with its consent. Only the States concerned and the Commission may bring a case before the Court.

16. The Court's judgement is final and not subject to appeal. Where appropriate the Court may grant just satisfaction to the injured party. The judgment is binding on the respondent State and its execution supervised by the Committee of Ministers.

17. If the case is not brought before the Court within three months, the Committee of Ministers must decide by a majority of two thirds of the members entitled to sit on the Committee whether or not there has been a violation of the Convention. It may fix a time limit within which the State concerned shall take the measures required by the Committee's decision and the Contracting States undertake to regard as binding on them any decision made by the Committee of Ministers in such a case.

18. Since 1955 when the first individual application was registered by the Commission, the organs of the Convention have developed an extensive body of case law on the scope and interpretation of the provisions of the Convention, which has had a considerable impact on national practice.

19. As regards economic and social rights, a separate instrument was prepared in the framework of the Council of Europe. The European Social Charter, adopted on 18 October 1961 after 10 years of preparatory work, deals essentially with economic and social rights. It comprises two sections: the first sets out the rights and

principles whose effective exercise is regarded by the Contracting States as the aim of their social policy; the second deals with the substance of each of these rights and is designed to enable the States to enter into different undertakings depending on their particular economic and social circumstances and priorities. The supervisory machinery is based on periodic reports submitted by the Governments, which are examined by a committee of independent experts and by a committee including representatives of the Contracting Parties as well as observers from European workers' and employers' organizations. Following consultation with the Parliamentary Assembly, this machinery can lead to the adoption of recommendations by the Committee of Ministers.

20. The Social Charter, like the European Convention on Human Rights, contains a list of rights and sets up a supervisory procedure. There are numerous social rights set out in the Charter, but the supervisory procedure is less developed and less effective than that of the European Convention on Human Rights, particularly as there is no provision for a binding decision to be given by an organ which is independent of Governments.

21. As it has been seen, the Convention reiterates some of the rights in the Universal Declaration of Human Rights of the United Nations. The Charter, for its part, is based on certain provisions of the Universal Declaration and the United Nations International Covenants as well as on several conventions of the International Labour Organisation (ILO), which took part in its preparation. In both cases principles already developed in the United Nations framework have been transported to a European regional level.

Problems raised by the coexistence of the International Covenant on Civil and Political Rights and the European Convention on Human Rights

22. Within the framework of the Council of Europe, it has been thought that for Contracting Parties to the European Convention on Human Rights, the coexistence of the European Convention and the International Covenant on Civil and Political Rights is likely to raise a number of problems, including risks of conflict resulting either from the lack of conformity between the definitions of the rights guaranteed or from differences in international procedure in the protection of human rights, which sometimes could lead to opposite results. Under the European Convention and its Protocols, 19 different rights are safeguarded compared with 23 in the International Covenant. As might be expected, a number of rights protected by both instruments are the same and their definitions are broadly similar. There are nevertheless cases where, although the same rights are concerned, their definitions differ appreciably; such differences are of considerable importance for the States Parties to both instruments or those intending to accede to them.

23. Both instruments naturally have an identity of purpose which is the protection of the individual, but there is only a partial identity regarding the rights guaranteed, the beneficiaries of such rights and the States eligible to become parties; the implementing bodies and procedures are totally different.

24. Serious problems may arise, particularly in States where an international treaty, once ratified, becomes an integral part of domestic law. In such cases, a national judge will have difficulties in solving possible conflicts between definitions of the same right.
25. In 1967, the States Parties to the European Convention on Human Rights became aware of the fact that the coexistence of two instruments raised a number of problems, including the two-fold risk of conflicts resulting from the lack of conformity of definitions and the possible differences in solutions provided by the control bodies. The Committee of Ministers of the Council of Europe therefore instructed the Committee of Experts on Human Rights to examine the problems arising from the coexistence of these two instruments.
26. A study completed in 1969 on the problems arising from the differences in the lists and definition of the rights guaranteed by the two instruments was officially transmitted by the Committee of Ministers to member Governments for the latter to take into account when considering the signature and ratification of the International Covenant.
27. In this connection, it should also be noted that the Committee of Ministers has instructed the Steering Committee for Human Rights to prepare a draft protocol to the European Convention containing certain rights guaranteed by the International Covenant but not included in the European Convention.
28. As far as differences in systems of control are concerned, the problems appear much more complex. In the case of inter-State complaints, problems could result from the coexistence of the United Nations procedure and the European procedure, in the case of States accepting the optional procedure provided under article 41 of the Covenant.
29. As regards the question whether there would be a choice between the two procedures, it should be noted that article 44 of the International Covenant states that its provisions for implementation shall not prevent States Parties from having recourse to other procedures for settling a dispute, while under article 62 of the European Convention, the Contracting Parties have agreed that, except by special agreement, they will not submit a dispute arising out of the interpretation or application of the Convention to a means of settlement other than as provided for in the Convention. It should also be noted in this connection that Article 33 of the Charter of the United Nations approves the principle of the regional settlement of inter-State disputes.
30. In discussion within expert committees in Strasbourg, it has been thought that in the case of inter-State complaints between Contracting Parties to the European Convention which could be submitted either to the United Nations procedure or to that of the Council of Europe, the procedure instituted by the European Convention should normally be preferred.
31. There was agreement, on the other hand, that it would be undesirable that States which had brought a case before the Strasbourg organs under the European Convention unsuccessfully should refer the same matter subsequently to the United

Nations Human Rights Committee. Even though the issue raised in Geneva would be, technically speaking, a different issue (because the complaint is of violation of the terms of a different treaty), this might create the impression of an "appeal" from the European organs to the Human Rights Committee and this might undermine, or at least weaken, the authority of those organs; this would be contrary to the general sense of articles 32 and 52 of the European Convention, which provide that decisions of the Committee of Ministers and the Court shall be final.

32. In resolution (70) 17, the Committee of Ministers of the Council of Europe declared that, "as long as the problem of interpretation of article 62 of the European Convention is not resolved, States Parties to the Convention which ratify the United Nations Covenant on Civil and Political Rights and make a declaration under article 41 of that Covenant should normally utilize only the procedure established by the European Convention in respect of complaints against another Contracting Party to the European Convention relating to an alleged violation of a right which in substance is covered both by the European Convention (or its Protocols) and by the United Nations Covenant on Civil and Political Rights, it being understood that the United Nations procedure may be invoked in relation to rights not guaranteed in the European Convention or in relation to States which are not Parties to the European Convention."

33. With regard to individual applications, it has been considered that the coexistence of the two sets of implementation measures raises in particular the question whether an individual applicant, if the State concerned has accepted both article 25 of the European Convention and the Optional Protocol to the International Covenant on Civil and Political Rights, can choose between the two systems and whether he can use both of them in turn.

34. The acceptance of the Optional Protocol by States which have accepted the right of individual petition under article 25 of the European Convention would produce the result that an individual who alleges violation of a right guaranteed both by the European Convention and by the United Nations Covenant would have a choice to initiate proceedings under either procedure.

35. This choice would have to be accepted, though it might cause difficulties, in particular by reason of possible divergencies in the case law of the two systems. On the other hand, in principle an applicant should not be able to bring the same case under both procedures either at the same time or successively. On this question, the following provisions of the two instruments are relevant:

Article 27, paragraph 1(b) of the European Convention on Human Rights provides as follows:

"The Commission shall not deal with any petition submitted under Article 25 which:

...

(b) is substantially the same as a matter which has already been examined by the Commission or has already been submitted to another procedure of international investigation or settlement and if it contains no relevant new information".

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Article 5, paragraph 2 of the Optional Protocol to the International Covenant on Civil and Political Rights provides as follows:

"The Committee shall not consider any communication from an individual unless it has ascertained that:

- (a) the same matter is not being examined under another procedure of international investigation or settlement.

...".

36. It may be argued that the European Commission of Human Rights will be prevented from considering a complaint previously lodged with the Human Rights Committee (unless new information is produced), but the Human Rights Committee could entertain a case previously heard in Strasbourg once the European proceedings are terminated.

37. On the other hand, it could also be argued that it was not the intention of those who drafted article 5, paragraph 2, of the Optional Protocol to exclude from the operation of this paragraph cases which have previously been examined under another procedure.

38. In order to prevent the possibility of successive applications to the European Commission and the United Nations Committee, the Committee of Ministers has recommended that member States of the Council of Europe which sign or ratify the Optional Protocol might wish to make a declaration, at the moment of signing or ratifying, whose effect would be that the competence of the United Nations Human Rights Committee would not extend to receiving and considering individual complaints relating to cases which are being or already have been examined under the procedure provided for by the European Convention. Such a declaration should only cover complaints of violation of rights which in substance are covered by the two instruments, and not complaints of violation of rights not guaranteed in the European Convention.

39. To date, with one exception, all Council of Europe member States which have accepted the Optional Protocol have made a reservation along the lines mentioned above.

Relations between the Council of Europe and the United Nations in the field of human rights

40. Relations between the Council of Europe and the United Nations in the field of human rights are mainly governed by Economic and Social Council resolution 1159 (XLI) of 5 August 1966. This resolution asked the United Nations Secretary-General to arrange for Council of Europe observers to attend, as appropriate, sessions of the United Nations Commission on Human Rights and meetings of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as to organize exchanges of information on human rights questions. It formally granted the Council of Europe observer status with the Commission on Human Rights.

41. Accordingly, since 1968 a Council of Europe observer has attended every session of the Commission on Human Rights in Geneva and various meetings of the above-mentioned Sub-Commission. It is entitled to take part in the proceedings, and the Council of Europe's representative may make statements.
42. As regards exchanges of information between the Commission on Human Rights and the Council of Europe on human rights matters, the Council of Europe has been asked to provide annual reports on its work in this field.
43. It should be mentioned in this context that the Council of Europe and its member States endeavour to participate constructively in United Nations action in favour of human rights. For a number of years, the Committee of Ministers has held regular exchanges of views on items on the agenda of the United Nations, and in particular on questions relating to human rights.
44. Similar exchanges of views are held in Committees of Experts of the Council of Europe, for example, on the implementation of the United Nations Covenants and the Convention on the Elimination of All Forms of Racial Discrimination. More recently, exchanges of views have been devoted to the draft Convention against Torture and to human rights in relation to development.
45. The formal relations between the Council of Europe and the United Nations are governed by an exchange of letters between the Secretaries-General in August 1951 (brought up to date in 1971). One of the methods proposed on this occasion was "technical co-operation ... for the purpose of studying questions of common interest and the execution of certain projects".
46. This possibility should perhaps in future be better exploited for a number of standard-setting activities undertaken in the human rights field by the two organizations.
47. This seems very important for the preservation of the unity of the corpus of international standards on human rights.
48. In this connection, statements made in the part by eminent personalities from the United Nations and the Council of Europe should be brought to mind.
49. During a visit to the Council of Europe in May 1966, Mr. U Thant, Secretary-General of the United Nations, said:
- "We in the United Nations have followed with special attention and interest the impressive achievements of the Council of Europe in the field of the protection of human rights and fundamental freedoms for all. You have established for your region institutions which are appropriate to your area, the Commission on Human Rights and the European Court of Human Rights which I had the privilege of visiting yesterday. You have thus given a most significant lead to other regions of the world and have built on the broad initiatives of the United Nations."

50. In his speech to the Parliamentary Assembly in January 1983, Mr. Leo Tindemans, Minister for External Relations of Belgium and at the same time Chairman in Office of the Committee of Ministers, made, inter alia, the following proposals:

"The elimination of obstacles to the genuine protection of human rights at international level will take time, but it also calls for a firm determination to tackle the problem once again, analysing present realities and past errors as a prelude to action. Is this not a challenge to Europe to display renewed imagination?

"This being so, might one not envisage a step-by-step project, based on a kind of framework instrument, similar in scope to the Universal Declaration of Human Rights, but tailored to the realities of the present age?

"The aim would be to avoid rhetorical declarations of intent, without binding force, and to reject the present tangle of standards and machinery in favour of world consensus on the practical and reliable implementation of a basic system for the protection of human rights.

"This system would be based on:

"The formulation of a code deliberately restricted to the most basic universal rights, recognised as such by all the nations and accordingly exempt from application of the principles of sovereignty and non-interference;

"The establishment of regional systems for the protection of these universal rights, supervision being entrusted, in accordance with uniform procedures, to independent, regional, judicial bodies. The regions would be free to extend this protection to a wider range of rights which they recognised as basic within their own geographical areas;

"The introduction of machinery for the longer-term establishment of a single, worldwide jurisdictional body, similar in kind to the International Court of Justice and with a membership which reflected the full range of civilisations and legal systems.

"If the will existed to proceed along these lines, the Council of Europe could act as a European centre for the discussion and planning of such a project, prior to its active promotion by the member states within the United Nations.

"Strasbourg would also provide a forum for in-depth reflection and an open exchange of views on this subject, ideally involving eminent specialists, and culminating in the formulation of proposals and guidelines which could then be relayed in the most appropriate fashion to the United Nations."

Concluding remarks

51. In addition to the relations at the institutional level one cannot underline enough the importance of practical co-ordination of activities and programmes between the two organizations at the secretariat level.
52. One channel for such co-operation is provided by the informal meetings which have brought together, from time to time, the heads of departments concerned with human rights questions of various international organizations, both worldwide and regional.
53. These meetings provide opportunities for exchanging information and, where appropriate, adopting measures to improve co-operation among institutions within the field of human rights. Better use should perhaps be made of these meetings since regular contacts among human rights secretariats could assist in handling problems which arise in practice. In general in this regard it is much better to have face-to-face contacts and exchanges of views among persons directly concerned with human rights questions who have practical knowledge and expertise of the subject-matter, than having these questions dealt with at an abstract level by special co-ordinating bodies. Secondly, everyone is aware of the crucial importance of regular contacts between the staffs of the Centre for Human Rights of the United Nations and the Directorate of Human Rights in the Council of Europe. The enormous expansion of work in the field of human rights of the two organizations, and the steady growth of the body of case law of the organs created by the international and regional instruments make it more difficult for each organization to keep itself informed of developments at the other side. It is essential to maintain the flow of up-to-date information, inter alia, in order to avoid conflicting interpretations of similar provisions.
54. Mention should be made in this connection of the co-ordination meetings of the human rights information and documentation centres in Europe, in which staff members of our two organizations are taking part. At these meetings great improvements have been made with regard to practical matters such as the handling of computerized information.
55. The Council of Europe has taken note with great interest of the valuable suggestion made by the Assistant Secretary-General for Human Rights at the opening of the thirty-ninth session of the United Nations Commission on Human Rights for the appointment of United Nations regional advisers on international human rights instruments and regional officers responsible for the promotion of human rights, for the dissemination of information and for the encouragement of the ratification of human rights instruments in direct co-operation with Governments. The implementation of this suggestion might further improve the co-operation between the United Nations and the Council of Europe in the field of human rights.

B. ORGANIZATION OF AMERICAN STATES

[Original: English]

[1 June 1984]

1. An informal arrangement exists between the secretariat of the United Nations Human Rights Committee and the secretariat of the Inter-American Commission on Human Rights to exchange information with respect to pending cases brought against the countries over which both bodies have jurisdiction in order to avoid conflicts resulting from the exercise of double jurisdiction.
2. The Inter-American Commission on Human Rights and the United Nations human rights bodies exchange publications on the basis of reciprocity.
3. With respect to furthering such exchanges of information between the regional entities and the United Nations, it is suggested that the United Nations consider sponsoring periodic workshops for the professional members of the secretariats of these human rights bodies in order to facilitate a more dynamic interchange of ideas and information on work accomplished and work in progress.
