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COMMISSION ON HUMAN RIGHTS

Forty-first session

SUMMARY RECORD OF THE 37th MEETING

Held at the Palais des Nations, Geneva
on Friday, 1 March 1985, at 10 a.m.

Chairmen: Mr CHOWDHURY (Bangladesh)

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The meeting was called to order at 10.40 a.m.

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS THIRTY-SEVENTH SESSION (agenda item 19) (continued)
(E/CN.4/1985/3 and 50; E/CN.4/Sub.2/476 and Add.1-6; E/CN.4/Sub.2/1982/2 and Add.1-7; E/CN.4/Sub.2/1983/21 and Add.1-8; E/CN.4/Sub.2/1984/20 and 23)

1. Mr. TOŠEVSKI (Chairman, Sub-Commission on Prevention of Discrimination and Protection of Minorities) noted that the debate on the Sub-Commission's report had produced three types of reaction. The first consisted of expressions of satisfaction with the Sub-Commission's work. The second consisted of many useful proposals and ideas; he felt sure that they would all be regarded by the Sub-Commission as sound contributions by the Commission concerning the Sub-Commission's future work. The third was criticism - some of it devastating - of such matters as the Sub-Commission's general performance, mandate and methods; there, two basic issues were involved.
2. The first issue was whether the Sub-Commission's mandate had been strictly defined. The current Sub-Commission bore virtually no relation to that of 20 or 30 years previously, but its mandate had remained more or less the same; the latter had to be approached as a process, not as a framework of rules. It was hard, therefore, to accept the criticism that the Sub-Commission had failed to abide by its mandate. Indeed, its approach could only be that of all United Nations bodies.
3. The second issue was that of the independence of the members of the Sub-Commission. One must be careful to stress that independence, since there was no escaping the fact that members were nominated by Governments and were exposed, as were the members, of the Commission to many different pressures, not only from their own Governments but from others and from non-governmental and other organizations.
4. In his view, the Sub-Commission faced two basic problems. The first was the large number of studies and resolutions with which it had to cope. If the Sub-Commission was to rationalize its work, as the Commission had so often requested, the latter should provide more precise guidance with a view to restructuring the Sub-Commission's agenda - a matter which had been raised in the past. The second was the alleged repetition by the Sub-Commission of the Commission's work - a feature of the United Nations system as a whole, to be seen from the General Assembly downwards, and impossible to avoid altogether. Perhaps the Commission, in its relevant resolution, could request the Sub-Commission not to deal with those items or situations of which the Commission itself was seized.
5. A further question that was frequently raised was that of the form of voting in the Sub-Commission. In his view, the question was whether the Sub-Commission should vote at all; the Commission would surely benefit more, on any given topic, from the Sub-Commission members' various views than from a Sub-Commission resolution.
6. The Commission's comments were appreciated as a constructive contribution towards aligning the Sub-Commission with the changing conditions faced by the Commission and the United Nations system as a whole.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 22) (continued)
(E/CN.4/1985/9 and Add.1, 30, 31, 32 and 36)

7. Mr. EKBLON (Finland) said it was regrettable that the agenda item under discussion seldom gave rise to much debate, perhaps because few Governments had availed themselves of the services. However, his Government was convinced that the programme had a potential, albeit little utilized, for the implementation of human rights standards, the dissemination of information about their meaning and their enforcement in national legal systems. The fact that Bolivia, Haiti and Equatorial Guinea had requested such services was commendable, and his delegation supported follow-up action vis-à-vis those countries. At the same time, the reports clearly showed the difficulties involved.

8. The far-reaching recommendations adopted at the meeting held in August 1984 between the Chairmen of the Organization's main human rights bodies, referred to in the report of the Secretary-General (E/CN.4/1985/30), represented an ambitious programme which, in view of the relatively modest interest in advisory services shown in past years, should perhaps be developed step by step. His delegation concurred with the Secretary-General's suggestion that certain immediate steps should be tried first. His selection of initiatives had the added advantage of being possible to implement within existing resources; but there was no reason why, if the services attracted increasing attention among Governments, voluntary contributions could not be mobilized to support a wider programme - for instance, along the lines suggested by the Chairmen of human rights organs.

9. The advisory services programme was an integral part of the Organization's role, to which his Government attached great importance, in promoting respect for human rights. If the programme could be recognized as a joint endeavour, often relating to situations stemming from profound political transformations, and the programme was undertaken exclusively on behalf of the United Nations, it might attract increasing interest. In the meantime, the short-term proposals for further development should be fully supported.

10. Mr. HÖYNCK (Federal Republic of Germany) said that his delegation appreciated the introduction to the current agenda item by the Deputy Director of the Centre for Human Rights, and the reports on assistance to Haiti and Equatorial Guinea (E/CN.4/1985/32 and 36).

11. The prevailing impression at the Commission's previous session had been that the question of advisory services in the field of human rights had not so far received the attention it deserved. As had been said at the time, the United Nations was about to proceed, in the field of human rights standards, from a stage of codification to one mainly of implementation. Each contracting State had the task of fulfilling the international obligations it had undertaken. The relevant procedural mechanisms created within the United Nations were designed to guarantee compliance in that regard; the Commission too had an important role in discussing human rights violations in all parts of the world and, when necessary, appealing to individual Governments.

12. However, implementation of the Organization's human rights instruments required stronger international co-operation. When a State faced special problems in meeting its human rights obligations, the United Nations, and the Commission in particular, should not only urge adherence but also provide practical, tangible, speedy and effective assistance to States, if the latter so desired. The advisory services of the Centre for Human Rights could and should offer such help. The Commission, in resolution 1984/44, had accordingly

invited the Secretary-General to submit, at its current session, recommendations for a long-term programme of action designed to extend advisory services. The impulse thus given by the Commission had meanwhile had considerable effect. The Sub-Commission had submitted two resolutions stressing, *inter alia*, the need for advisory services on training and legislation. Moreover, the Chairmen on advisory services had made welcome suggestions, and the General Assembly, in two resolutions adopted at its thirty-ninth session, had called on the Commission to study them, paying special attention to suitable ways to provide individual countries with specific help in the implementation of human rights.

13. The report of the Secretary-General (E/CN.4/1985/30) contained welcome suggestions and recommendations, particularly on the development of practical training, provision of technical assistance for the strengthening of legal institutions, and the development of model legislation; some of them could be given effect at once. Training courses could be organized immediately, using the funds available for seminars and fellowships; the Centre for Human Rights could also conduct such courses and information seminars, if need be, within the countries requesting them. Since, however, current financial resources did not allow full advantage to be taken of the comprehensive knowledge and experience available within the Centre for Human Rights for advisory services, new ways for extending advisory services should be sought.

14. The reports on Equatorial Guinea and Haiti, and that on Bolivia (E/CN.4/1985/31), revealed a wide gap between countries' needs and the Centre's possibilities. Therefore, his delegation agreed that the Centre should also be used, in such cases, as a kind of clearing house for bilateral aid projects.

15. His delegation noted with satisfaction, from document E/CN.4/1985/16, that UNIFEM was planning, with the help of a grant from a private foundation, to hold a series of pilot seminars designed to train national officials responsible for reporting on the implementation of human rights conventions, and it was pleased to learn that the first seminar would take place in a few months' time. The Centre could emulate many other United Nations bodies which had for years successfully availed themselves of extrabudgetary facilities for such projects.

16. His delegation hoped that it would be possible to submit a draft resolution which would meet with the approval of all delegations.

17. Sir Anthony WILLIAMS (United Kingdom) said that the international community had worked hard to set human rights standards, but perhaps had not devoted enough attention to the implementation of practical steps to help Governments to attain them. His delegation welcomed the emphasis on practical action-oriented programmes in the report of the Secretary-General (E/CN.4/1985/30) and was particularly interested in the suggestions in paragraph 7, especially the idea of placing greater emphasis on training courses, which could well prove more practical and economical than, for instance, the organization of seminars. It was pleased to see that such a training course for law enforcement and prison officials was under discussion with the Government of Bolivia; it was exactly the kind of activity which his delegation considered to be most fruitful. It welcomed the Secretary-General's attention to the cost-effectiveness of his suggestions and welcomed his belief that they could be carried out within existing resources.

18. Among the ideas proposed for advancing the advisory services programme, his delegation had particularly welcomed the suggestions concerning the compilation of a manual of practical advice on the preparation and submission of reports, the dispatch of experts on short missions to advise Governments, at their request, the development of a facility specializing in the provision of advice and assistance to Governments in implementing international conventions, and personal encouragement by the Secretary-General of States to ratify the International Covenants. It would be useful if the Secretariat could furnish information on the financial implications of those suggestions and also a break-down of the financing of advisory services in general. For the moment, his delegation was inclined to think that the fellowship programme could perhaps be more closely scrutinized, and money reallocated from it for the suggestions in paragraphs 4 (a), (f), (g) and 5.

19. The proposal in paragraph 4 (d) for more seminars on the implementation of international conventions and on reporting procedures was perhaps of less potential value, and the idea of developing a system of regional advisers should be considered only if it did not detract from the idea of universally accepted standards of human rights. One suggestion which had not been mentioned in the report, and which would make a practical and positive contribution to the work of Special Rapporteurs, was that they were well placed to make recommendations for the provision of advisory services to the countries on which they were reporting, and should be encouraged to do so. His delegation hoped that the seminars on the elimination of exploitation of child labour and on community relations commissions would yield practical results, but believed that the Commission should examine very carefully any further proposals for seminars to determine whether the funds involved could not be more usefully spent on other activities.

20. The training of skilled personnel should be given high priority in efforts to assist countries to fulfil their obligations under the Covenants. His delegation had some doubts about the usefulness of the fellowship programme, however, and would welcome more information on the ways in which it had been felt to be of use. It wondered whether the resources allocated for it could not be more usefully spent in other ways. It noted, from the Secretary-General's report that no training courses had been organized in 1983 and 1984, and supported the proposal to organize such courses in the future.

21. His delegation particularly welcomed the report on Bolivia (E/CN.4/1985/31) which contained a number of positive features and included information about specific assistance measures considered feasible by the Centre and which were under discussion with the Government of that country. His delegation fully endorsed the description in paragraph 8 of the role which the Centre for Human Rights envisaged for itself, namely, that of a channel for bilateral and multilateral assistance, a clearinghouse for information and expertise and, where possible a source of practical aid. It was interested to see the activities of other organizations described in the annex to the report; it welcomed the fact that UNDP reported that its approach was in line with Commission resolution 1984/43 and found it an excellent example of how United Nations bodies had worked together in their respective fields.

22. The report on Equatorial Guinea (E/CN.4/1985/9) was detailed and comprehensive. His delegation welcomed the Government's co-operation and the progress made in various fields, but regretted the fact that the advice in the Expert's Plan of Action had not really been implemented in a number of important respects, particularly regarding the Constitution and the legal system. He hoped that the Government would heed the views of the expert and would be able to supply the documents which the expert had requested, and that communication between the Government and the Centre would be improved. Given the comments in paragraphs 57 and 84, might it not be possible to train personnel under the advisory services programme? The Centre might examine the description in paragraphs 77 and 81-83 of the role envisaged for the United Nations, bearing budgetary considerations in mind. On the other hand, the recommendations in paragraphs 86 and 89 seemed to fall outside the Centre's scope.

23. Turning to the report on Haiti (E/CN.4/1985/32), he said that his delegation had some doubts about the nature of the remit given to the expert - for instance the suggestion that seminars should be organized in Haiti, and noted, with some relief, the Haitian National Human Rights Commission's realistic view of the idea. It had been glad to note that a documentation centre was being created and hoped the Haitian people would make full use of it.

24. His delegation had sponsored a resolution on assistance to Uganda at the last session and was ready to do so again. In Uganda, the process of national recovery after the appalling years before 1979 had not been an easy task; the United Kingdom was assisting the Government in its efforts to restore stability and hoped that others would provide assistance, either directly or through the facilities provided by the Centre for Human Rights.

25. He hoped that the views his delegation had expressed regarding the future direction of the Centre's activities would help give fresh impetus to its work and that more countries would be encouraged to apply for expert assistance from the international community.

26. Mr. PETERS (German Democratic Republic) said that for more than 30 years, the triple approach to promoting human rights through advisory services, grants and fellowships, and seminars had proved to be an appropriate framework for meeting the needs and interests of Member States. It was especially important to ensure that recipients of grants and fellowships and participants in seminars represented a broad range of social and legal systems and different economic, geographical and cultural backgrounds. The principal purpose of advisory services should be to develop a basis for co-operation among States with a view to creating the conditions of stability and well-being which were necessary for peaceful and friendly relations among nations (Article 55 of the Charter of the United Nations). A quite considerable number of seminars had been held in an attempt to meet that objective, including those on apartheid and the elimination of all forms of racism and racial discrimination.

27. The German Democratic Republic, a country where child labour was prohibited, supported the idea of holding a seminar on ways and means of ending the exploitation of child labour and which it believed could contribute to the successful conclusion of work on the draft convention on the rights of the child which would, inter alia, ban child labour.

28. His delegation strongly supported the fellowship programme and believed that in organizing it, a spectrum of subjects which could effectively contribute to solving key human rights problems should be offered and as many participants from different countries invited as possible so that an effective exchange of experiences could take place.

29. Mr. IIYAMA (Japan) noted that in recent years the Commission had been occupied with exploring ways of improving the programme of advisory services which was already making a significant contribution to the cause of human rights. His delegation was gratified that the seminar on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief had produced tangible and practical results and looked forward to the seminar on ways and means of eliminating the exploitation of child labour. It hoped the Commission would take note of the recommendation in document E/CN.4/1985/30, paragraph 4 (d) and that a seminar would be held to discuss issues affecting the implementation of international human rights conventions and their reporting procedures.

30. The report on Equatorial Guinea (E/CN.4/1985/9) indicated that few people in the country had the necessary training for carrying out basic administrative tasks relating to modernization and democratization of the country and recommended, inter alia, the training of legal staff. The report on Haiti (E/CN.4/1985/32) well illustrated the type of assistance required which the United Nations could provide in the human rights field. His delegation hoped that candidates presented by the Haitian Government for the 1985 fellowship programme would be accepted. The report on Bolivia (E/CN.4/1985/31) indicated what technical assistance might realistically be expected from the United Nations through advisory services. His delegation noted with regret that only a few Governments had availed themselves of those services and believed that more should be encouraged to do so.

31. Of all the activities included under advisory services, the fellowship programme had been used most frequently by Member States. It was gratifying to note that fellowships were awarded to candidates from many different countries, including governmental officials responsible for administering justice and drafting legislation and officials from ministries concerned with the human rights field. The programme might play a larger role in countries which lacked the human resources required for carrying out basic administrative tasks in the process of modernization and democratization. In that connection, his delegation hoped the Secretariat would give serious consideration to the idea of awarding a proportion of the human rights fellowships to government officials who needed to develop their skills in reporting procedures, particularly those officials who were called upon to prepare and present such reports, since non-submission or delayed submission of periodic reports created a serious problem.

32. The suggestions in the report of the Secretary-General (E/CN.4/1985/30), particularly that relating to training courses for government officials involved in the application of international human rights conventions, were particularly useful, and his delegation noted that the Secretariat intended to implement them within existing resources.

33. His delegation had also noted with interest the request in Sub-Commission resolution 1984/19 that the Secretary-General should invite those Governments receiving aid from UNDP to indicate their specific needs in terms of technical assistance relevant to the application of human rights. His delegation also concurred with the suggestion that Governments, various non-governmental organizations and academic or related institutions be called upon to provide assistance in promoting the teaching of human rights.

34. Mr. ERMACORA (Austria) said that technical assistance activities under the advisory services programme were at two levels: measures to assist States in discharging their responsibilities under international human rights instruments; and technical assistance in drafting legislation aimed at the implementation of international human rights obligations, in strengthening their legal systems and in the field of the teaching of human rights. In general, advisory services could not be imposed on States and individuals, but they could be made available either directly through United Nations bodies or by the experts assigned by the United Nations. Advisory services should not intervene in the internal affairs of States, but assist in bringing their internal human rights situations into line with their international human rights obligations.

35. In particular, new and small States often did not have the means and experience to solve difficult and complicated human rights problems. Such States might be more inclined to take advice from United Nations bodies than from national institutions and Governments.

36. Advisory services in the field of human rights could include information and advice to non-governmental organizations or even to individuals on initiating procedures under Economic and Social Council resolution 1503 (XLVIII) or the

Convention on the Elimination of Racial Discrimination and its Optional Protocol. At the Council of Europe, for example, the secretariat of the Commission for Human Rights had developed forms to assist individuals in structuring their petitions. Other forms of advisory services related to the preparation of reports by States to different United Nations bodies, the correct application of article 4 of the International Covenant on Civil and Political Rights, and the proper formulation of reservations and declarations concerning international human rights instruments and the formulation of communications, avoiding procedural errors.

37. His Government had arrived at the conclusion that the reason why very few States had made use of the programme of advisory services was because an application for assistance was regarded as an admission that the human rights situation in the applicant's territory was not satisfactory. That was actually a promising sign of an impending improvement in the human rights situation, since it indicated that the Governments were concerned about their reputation in the field of human rights. That problem might be overcome if the services were offered with more discretion, although with due consideration for the right of Member States to know how their money was being spent. His delegation was confident that the Centre for Human Rights, which had coped with a variety of very sensitive issues, would find a way to accommodate both interests.

38. His delegation fully supported the suggestions contained in document E/CN.4/1985/30, especially those concerning local or regional training courses, the system of regional advisers and the dispatch of experts from the membership of the organs or from the Centre for Human Rights. Ways and means of liberating budgetary resources through the streamlining of the seminars programme should be explored. His delegation felt that seminars should concentrate increasingly on the implementation of international human rights instruments, especially the International Covenant on Economic, Social and Cultural Rights.

39. In addition to assistance provided from the regular budgets, there was enormous potential in future bilateral and multi-bilateral aid programmes in the field of human rights. The United Nations Centre for Human Rights could serve as a "clearing-house" or "focal point" for the arrangement of such assistance. That role was discussed in document E/CN.4/1985/31, on assistance provided to Bolivia, and he was surprised that it was not referred to in document E/CN.4/1985/30. The Centre should be more active in that important area: measures should be taken to assess which resources, in terms of services and assistance, could be added to those already available to the Secretary-General, countries in need of assistance should be made aware of those resources and the Secretariat should look into ways and means of providing the services and assistance, with the minimum of bureaucratic procedures.

40. His delegation noted with satisfaction a slow but steady increase of interest in developing advisory services. The fact that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its discussions of the "New International Economic Order and the Promotion of Human Rights" had been focusing increasingly on the question of technical assistance to strengthen legal institutions in the administration of justice was particularly encouraging.

41. Mr. KOOLJMAANS (Netherlands) referring to the reports of the Secretary-General on advisory services rendered to Equatorial Guinea (E/CN.4/1985/9), Bolivia (E/CN.4/1985/31) and Haiti (E/CN.4/1985/32), said that his delegation was particularly satisfied with the finding of the expert on Equatorial Guinea that there had been significant improvements in the human rights field. However, it shared the expert's concern that the legal structure in the country was not yet strong enough to prevent a recurrence of the country's recent experiences, and sincerely hoped that the Government of Equatorial Guinea would pay serious attention to the expert's recommendations and fully apply the Plan of Action. The report on the visit to Haiti, pursuant to Commission decision 1984/109 was somewhat less satisfactory. It was regrettable that at the end of January no request for services had been received by the Centre from Haiti.

42. As important as it was to give special consideration to serious human rights violations, a wide network of assistance programmes to prevent the occurrence of such violations would be infinitely more effective. A sound legal infrastructure, well-trained administrative personnel on the national and local level, and a well-informed judiciary, could not prevent violations of human rights but could be a fairly effective barrier against gross abuses of power. His delegation welcomed the suggestions contained in document E/CN.4/1985/30 for a long-term programme of action in the field of advisory services. The suggestions contained in paragraph 7 (a) and (b) on the organization of regional training courses and the award of fellowships were particularly helpful. He also drew attention to the recommendations of the meeting set out in paragraph 4 (e), (f) and (g), namely the development of a system of regional advisers, the dispatch of experts on short missions to advise Governments, at their request, and the establishment of a facility within the Centre for Human Rights, specializing in the provision of advice and assistance to Governments in the implementation of international conventions in the field of human rights. Some of the suggestions had also been endorsed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1984/36, especially those in paragraphs 5 and 6. His delegation shared the Secretary-General's opinion that within the available means greater emphasis could be given to action-oriented services. His Government was favourably disposed to the idea that additional activities might be undertaken on the basis of voluntary contributions.

43. Sub-Commission resolution 1984/19, entitled the New International Economic Order and the Promotion of Human Rights, which had been adopted by consensus, contained highly constructive ideas. The notion that the strengthening of legal institutions was a prerequisite for the promotion and respect of human rights, and that aid in that field should therefore be a normal part of United Nations aid programmes, although controversial, was sound, as was the request for the involvement of United Nations Development Programme resident representatives in that field. His Government would follow further developments closely and was looking forward to the report requested in paragraph 4.

44. The Commission would do well to be fully alive to the fact that the establishment of efficient, practice-oriented machinery in the field of advisory services would bear full fruit in the future.

45. Mr. RAMISHVILI (Union of Soviet Socialist Republics) pointed out that the meeting of Chairmen of human rights bodies which had adopted document A/39/484 had been incomplete. No invitation had been extended to the Chairman of the Group of Three of the Commission of Human Rights, established in accordance with article IX of the International Convention on the Suppression and Punishment of the Crime of Apartheid, or to the Chairman of the Committee on the Elimination of Discrimination against Women.

46. With regard to document E/CN.4/1985/30, the idea of a facility specializing in the provision of advisory services was not yet ripe. A section of the Centre for Human Rights already provided such assistance, and it appeared to be working well and coping adequately with its responsibilities. Furthermore, the proposal for a long-term programme of action contained a number of contradictions. With regard to the suggestion contained in paragraph 7 (a) that seminars should increasingly be replaced by the organization of training courses, his delegation believed that seminars had proved to be effective in promoting understanding of human rights and that their number should not be decreased provided they were relevant. Document E/CN.4/1985/30 also contained a misstatement; paragraph 4 (a) incorrectly labelled the human rights bodies that examined reports by States parties as "supervisory organs", whereas they were more properly referred to in General Assembly resolution 38/117 as "bodies entrusted with the consideration of reports submitted under the relevant human rights instruments".

47. Paragraph 4 (d) of the same document made a valid reference to the successful seminar held in 1983 in Geneva on the experience of different countries in the implementation of international standards on human rights. The seminar on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief, held in December 1984 in Geneva, had also made a significant contribution, but could have been more constructive if all the resolutions and recommendations relating to the organization of the seminar had been complied with. For example, there would normally have been 32 participants: that number was reduced to 27, and 3 more participants had decided not to attend, which meant that the total number of participants was not as representative as might have been desired. In addition, certain national liberation organizations such as the South-West Africa People's Organization, the Palestine Liberation Organization and Pan-African Congress, had been invited very late, and invitations had not been sent to several regular observers of the Commission, many of whom had learned of the seminar by accident. Furthermore, the attendance list showed that the rules governing the organization of the seminar, contained in document E/CN.4/1192, to the effect that the States attending should be Member States of the Commission, had not been followed.

48. There had been some unusual surprises in the forty-first session of the Commission. Documents A/39/484 and E/CN.4/1985/5 were premature and highly diffuse in nature, and intermingled important issues, such as universal accession to human rights instruments, with quite secondary ones.

49. United Nations seminars for 1985 included a seminar on the elimination of the exploitation of child labour and one on community relations commissions. Taking into account that 1986 was to be declared the Year of Peace, his delegation felt that a seminar should be held in 1986 on the right of peoples to life and peace. In that connection, he referred to a decision adopted by the Human Rights Committee at its twenty-third session on the right to life, which called for the prohibition and recognition as a crime against humanity of the production of nuclear weapons. A seminar on the right to life and peace would be a worthy contribution by the Commission on Human Rights to the maintenance of peace, and his delegation hoped the members of the Commission would support its proposal.

50. Ms. MARTIN (Observer for Canada) said that the agenda item under discussion gave the Commission the opportunity to examine constructive ways in which the United Nations could assist member States in the promotion and protection of human rights. The experience of the international community in such areas as the safeguarding and monitoring of human rights, the drafting of human rights legislation and constitutions, the training of government officials and the implementation of international human rights conventions could be made available to individual States through the programme of advisory services. That programme, reviewed in document E/CN.4/1985/36, provided for seminars, training courses, fellowships and, to a lesser extent, the services of experts. Her delegation had noted with interest the reports on the advisory services provided for the Governments of Bolivia (E/CN.4/1985/31), Haiti (E/CN.4/1985/32) and Equatorial Guinea (E/CN.4/1985/9) and wished to encourage those Governments to continue their efforts for the protection of human rights.

51. Her delegation welcomed the recommendations for the provision of advisory services and technical assistance over the long term, made by the Chairmen of United Nations human rights bodies and submitted to the thirty-ninth General Assembly in report A/39/484. Some could be accommodated within the existing programme of

advisory services, by placing greater emphasis on regional training courses or using human rights fellowships for governmental officials: those were among the suggestions included in the Secretary-General's valuable proposals for a short-term programme of action. Other recommendations concerned activities within a long-term programme of action in the field of advisory services, particularly the development of a facility within the Centre providing advice and assistance to governments on the implementation of international human rights conventions and the development of a manual on the preparation and submission of reports and advisory missions by experts. The proposal for a facility deserved continued attention and support, although its planning and financial aspects would require careful consideration. It should be borne in mind that advisory services were needed by all States, not merely by those which had experienced difficulties in promoting and protecting human rights; they were an important aspect of international co-operation in that field.

52. Mr. LEONARDI (International Labour Office) said that the International Labour Office provided various advisory services analogous to those described in the report of the Secretary-General (E/CN.4/1985/30) and the report of the Meeting of Chairmen of United Nations human rights bodies (A/39/484). For instance, the "Manual on Procedures relating to International Labour Conventions and Recommendations" provided information on the adoption, submission and ratification of conventions and recommendations, monitoring mechanisms for supervising observance of obligations, assistance available from ILO, interpretation of conventions, etc., was available to official institutions and employers' and workers' organizations. Various forms of individual and group training, particularly in respect of international labour standards, were provided in the form of secondments for limited periods to the International Labour Office for labour administration officials and regional and national training courses or seminars. In 1984, fellowships had been awarded to 16 officials from 13 countries and one international trade union federation. Various regional and national seminars on international labour standards had been held throughout the year. It was hoped to organize an interregional course for specialists on international labour standards in collaboration with the International Institute for Labour Studies in Geneva. Direct contact procedures and other missions to individual countries had proved extremely valuable: four such missions had taken place in 1984. Regional advisers on international labour standards had visited countries in all regions. The International Labour Office would co-operate fully with the Secretary-General in the organization of the seminar on ways and means of achieving the elimination of the exploitation of child labour in all parts of the world, referred to in report E/CN.4/1985/36.

53. Mr. TROUVEROU (Observer for Belgium) said that his country, among others, wished to emphasize the regional approach to the protection of human rights and a strengthening of the link between such an approach and the global approach of the United Nations. Successive General Assembly resolutions had stressed the importance of both global and regional mechanisms for the promotion of human rights. A regional approach helped to bring international law closer to the individual and to implement abstract rights in a real situation. For that reason, his delegation urged the member States of the Organization of African States to ratify the African Charter on Human and Peoples' Rights and appreciated the efforts of the Arab Commission on Human Rights to draw up a charter on human rights for submission to the Council of the League of Arab States. His delegation would follow with interest the developments arising from the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo, Sri Lanka, from 21 June to 2 July 1982; it appreciated the part played there by the Inter-American Commission on Human Rights. The statement of Mr. Oreja, Secretary-General of the Council of Europe, at the 35th meeting had provided a reminder of the excellent work done by the Council of Europe in regional matters.

54. When implementing General Assembly resolution 39/115, the programme could be restructured to incorporate regional inputs into the advisory and information services and the United Nations should also refer to the regional components of existing international instruments and mechanisms. The relations between the Centre for Human Rights and regional bodies should not be ignored: there was no reason why United Nations advisory services should not be provided for regional bodies. Some suggestions made by the Secretary-General in paragraph 7 of his report (E/CN.4/1985/30), which took into account decisions previously adopted by the Commission and the recommendations made by the Chairmen of United Nations human rights bodies in their report to the General Assembly (A/39/484) also had implications for regional arrangements.

55. Mr. YIANGOU (Cyprus) said that advisory services in the field of human rights were a substantive contribution to the long-term task of the Commission and could, indirectly, prevent human rights violations. Efforts should be devoted to the dissemination of information about human rights and the enforcement of international human rights instruments under the existing legal systems. Advisory services in the field of human rights had so far provided technical assistance in the form of general advice, the services of experts for drafting legislation, the development of education programmes, the drafting of reports to human rights bodies under the relevant international instruments and assistance to Governments on compliance with international human rights standards. Further measures, such as the preparation of studies and the organization of training courses and seminars, could make a valuable contribution to the protection of human rights in the long term and provide a valuable source of information and references. His delegation supported the recommendations made by the Chairmen of United Nations human rights bodies, which had been submitted to the thirty-ninth General Assembly (A/39/484) and taken up by the Secretary-General in document E/CN.4/1985/30. In his report, the Secretary-General recommended certain short-term measures for the development of a programme of advisory services and expert assistance to Governments: specialized agencies such as UNESCO could play a particularly valuable role in implementing the above-mentioned recommendations. The Centre for Human Rights could become the contact point for Governments requiring assistance. Bilateral co-operation between States should be encouraged, and both the global and the regional dimensions of long-term programmes could be established in advance.

56. It was, however, disheartening to note that no States had taken advantage of the advisory services available since the previous session of the Commission, despite the example set by Bolivia, Haiti and Equatorial Guinea (described in documents E/CN.4/1985/31, E/CN.4/1985/32 and E/CN.4/1985/9, respectively): other countries should feel encouraged to ask for help, especially those undergoing profound political, social and economic changes and facing acute problems. Advisory services in the field of human rights were different from other kinds of development projects; discretion and informality were essential. His delegation attached great importance to such programmes at a global and regional level as a means of maintaining and strengthening world peace and security.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued)

57. Mr. SOFINSKY (Union of Soviet Socialist Republics), speaking on a point of order, said he wondered how documented material prepared for the Commission could find its way into the hands of the press before those for whom it was correctly intended had even seen it; he wished to know how such a situation could have occurred. He

referred, in particular, to a report prepared on the so-called question of Afghanistan, a number of contentious passages from which had been cited the previous day in the International Herald Tribune, although the report had not yet been circulated to the members of the Commission. He hoped that the Secretariat could provide an explanation of the circumstances, before the meeting rose, since, until the matter was clarified, the Commission could not feel sure that no further such incidents could occur.

58. The CHAIRMAN said he fully endorsed the concern expressed by the representative of the Soviet Union. Only when a document had been officially circulated to members of the Commission did it become public.

59. Mr. PACE (Secretary) said that the report in question had been submitted for processing on 19 February 1985. Some language versions had been issued that morning, and the rest would appear shortly. Neither the Special Rapporteur or the Centre for Human Rights had given the report to the press. The Special Rapporteur had, however, followed the usual practice and given an advance copy of the report to the interested parties. The Secretariat fully endorsed the concern which had been expressed.

the meeting rose at 1.05 p.m.