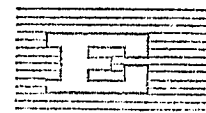
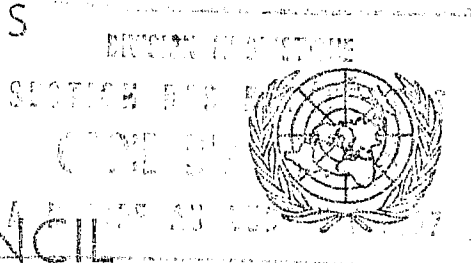


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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report of the Secretary-General submitted in
pursuance of Commission resolution 1984/44

1. By its resolution 1984/44 entitled "Advisory services in the field of human rights", adopted without a vote on 13 March 1984, the Commission on Human Rights expressed its appreciation to the Secretary-General for his efforts to provide assistance in the field of human rights to Governments at their request under the programme of advisory services in the field of human rights, and requested the Secretary-General to continue and, as appropriate, to enhance such assistance in the field of human rights within the framework of the programme of advisory services. The Commission also invited the Secretary-General to report to it at its forty-first session on the progress made in the provision of such expert assistance to Governments in the field of human rights, and to outline suggestions for a long-term programme of action in this field.

A. Progress made in the provision of expert assistance to Governments in the field of human rights

2. With regard to the progress made in the provision of expert assistance to Governments in the field of human rights, the Commission has before it in documents E/CN.4/1985/31, E/CN.4/1985/32 and E/CN.4/1985/9, reports dealing with the provision of assistance to Bolivia, Haiti and Equatorial Guinea respectively. As may be seen from these reports, the Secretary-General has maintained contacts with the Governments concerned and expert missions visited Haiti and Equatorial Guinea during 1984 with a view to determining the current needs of these countries and with a view to making on-the-spot advice available to senior government officials and other government personnel. It is envisaged that these activities will be followed up in 1985 in the light of the deliberations of the Commission on Human Rights on the three reports of the Secretary-General.

B. Suggestions for a long-term programme of action in this field

3. A review of the decisions recently adopted by human rights organs demonstrates that various suggestions have been made for action in this field. Specific suggestions have been made, inter alia, in the following areas: (a) The development of promotional activities; (b) The development of public information activities; (c) The development of regional and field activities; (d) The utilization of commemorative activities; (e) The development of practical training; (f) The provision of technical assistance for the strengthening of legal institutions;

(g) The development of model legislation; (h) The promotion of ratifications of International Covenants on Human Rights; (i) The development of programmes within the Centre for Human Rights.

4. Pursuant to General Assembly resolution 38/117 of 16 December 1983, the Secretary-General organized in Geneva, on 16 and 17 August 1984, a meeting of the Chairmen of the Commission on Human Rights, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Sessional Working Group of Governmental Experts on the Implementation of the International Covenant on Economic, Social and Cultural Rights. The Chairmen adopted a report to be submitted to the General Assembly at its thirty-ninth session (A/39/484) which contains important recommendations for the provision of advisory services and technical assistance in the future. In view of the direct relevance of these recommendations, and the high authority from which they emanate, the Secretary-General considers that the recommendations of the Chairmen could be taken into account in the formulation, by the Commission, of a long-term programme of action in this field. For this reason the recommendations of the Chairmen are reproduced below. The recommendations were:

(a) A manual providing practical advice on the preparation and submission of reports, and consideration of such reports, could be prepared by the Secretary-General, drawing upon the reporting procedures and experience of the different supervisory organs. Such a manual could also include specimen reports for the guidance of those drafting and presenting reports;

(b) As recommended by the Commission on Human Rights, a proportion of the human rights fellowships awarded each year could be allocated to government officials who need to develop their skills in the operation of the reporting procedures, particularly those who are called upon to prepare and present such reports. In the communication to Governments inviting nominations for fellowships it could be brought to their attention that they may nominate persons for fellowships who are called upon to prepare or present reports;

(c) A programme of regional training courses for persons engaged in the preparation or presentation of reports could be implemented, in co-operation with UNITAR, on an ongoing basis. The members of supervisory organs could usefully be drawn upon as lecturers at such training courses;

(d) More seminars under the programme of advisory services in the field of human rights could be devoted to the discussion of issues affecting the implementation of international conventions in the field of human rights and their reporting procedures. In this regard the chairpersons noted that a successful seminar was organized in 1983 on the experience of different countries in the implementation of international standards on human rights (ST/HR/SER.A/15);

(e) The development of a system of regional advisers on international human rights standards could be envisaged to visit countries, advise on legislation, discuss problems encountered by Governments and make available to Governments the collective international experience in the implementation of international standards;

(f) The dispatch of experts, from the membership of the organs or from the Centre for Human Rights, on short missions to advise Governments, at their request, could be envisaged. In this regard the commendable example set by the Human Rights Committee in sending one of its members to be available to a Government for advice and assistance could be followed for other countries in the future;

(g) Under the programme of advisory services in the field of human rights, the Secretary-General could develop, within the Centre for Human Rights, a facility specializing in the provision of advice and assistance to Governments in the implementation of international conventions in the field of human rights. This facility could be drawn upon by Governments in need of advice or assistance and could even be gradually extended to the development, where necessary, of the kind of draft legislation required by the international instruments in question for sample legislation on selected human rights problems. Precedents for national institutions for the promotion and protection of human rights could be collected and made available to Governments in case of need.

5. The Chairmen also felt that the Secretary-General could assist greatly in encouraging States which had not already done so to ratify the International Covenants on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. In that regard they suggested that the Secretary-General could raise the question of ratifications when he met heads of State, Foreign Ministers or other high level officials during the sessions of the General Assembly or other organs or in the course of his visits to capitals. The Centre for Human Rights and the Assistant Secretary-General for Human Rights could also undertake similar activities to promote ratifications.

6. At its thirty-ninth session, the General Assembly, by resolution 39/138, adopted without a vote, requested the Commission on Human Rights to consider the suggestions made by the Chairpersons on advisory services in the context of its standing item concerning advisory services in the field of human rights.

7. Having regard to decisions previously adopted by the Commission and mindful of the recommendations made by the Chairmen in their report to the General Assembly at its thirty-ninth session (A/39/484), the Secretary-General would suggest that, in the short-term, the following steps could be taken in the direction of the development of a programme of advisory services and expert assistance to Governments in the field of human rights:

(a) Within the programme of advisory services greater emphasis could be given in the future to the organization of training courses in the different regions of the world for the benefit of government officials whose duties involve the application of international conventions in the field of human rights particularly the International Covenants. Resources hitherto utilized for the organization of seminars could increasingly be devoted to the organization of training courses instead. Such training courses, particularly when they are organized for a specific region or subregion, would not only be more action-oriented but would also be more economical inasmuch as they may be conducted in only one language.

(b) The award of human rights fellowships could be designed to meet the needs of countries, particularly developing countries, for the training of government officials whose duties involve the application of international conventions in the field of human rights particularly the International Covenants. In the future, therefore, not only could the fellows be selected in the light of these criteria but the fellowships could also be awarded for the purpose of enabling the participation of the fellows in training courses organized by the United Nations at the Centre for Human Rights in Geneva.

(c) Practical aids to promote the teaching of human rights, particularly the Universal Declaration of Human Rights and the International Covenant on Human Rights could be developed in the future. The teaching materials and teaching aids for instruction in primary and secondary schools could be given priority in

the beginning. A basic pamphlet on instruction in the Universal Declaration and the International Covenants could be produced, translated into many languages and widely disseminated. The assistance of Governments, international and non-governmental organizations could be sought in the translation and dissemination of this basic teaching pamphlet.

(d) More exchanges among Governments of their experience in the application of the International Covenants on Human Rights could be developed on a universal, regional or subregional basis. In that regard, the Centre for Human Rights stands ready to serve as a clearing house for relevant information and, as appropriate, to further bilateral contacts between States in this field.

8. The implementation of the above-mentioned recommendations could be carried out within existing resources. The Commission on Human Rights may wish to consider how the recommendations of the Chairmen of human rights organs, outlined in paragraph 4 above, could be implemented and also how they may be financed.