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COMMISSION ON HUMAN RIGHTS

Forty-first session

Item 22 of the provisional agenda

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report of the Secretary-General

The present report is submitted, in accordance with the practice followed in previous years, on the basis of resolution 926 (X) adopted by the General Assembly on 14 December 1955.

I. DECISIONS AND RECOMMENDATIONS OF UNITED NATIONS BODIES ADOPTED DURING 1984 THAT AFFECT THE ADVISORY SERVICES PROGRAMME IN THE FIELD OF HUMAN RIGHTS

A. Commission on Human Rights (fortieth session); Economic and Social Council (first regular session, 1984)

1. The Commission on Human Rights considered the question of assistance requested by Bolivia for the strengthening of human rights and fundamental freedoms in that country in the light of the report of the Special Envoy of the Commission on Human Rights, Mr. Héctor Gros Espiell, ^{1/} and adopted resolution 1984/43 which was subsequently approved by resolution 1984/32 of the Economic and Social Council adopted at its first regular session in 1984.

2. In its resolution, the Commission, inter alia, requested the Secretary-General, under the programme of advisory services in the field of human rights and in consultation with the Government of Bolivia, to examine ways and means and possible resources for rapid implementation of the projects suggested by the Special Envoy in his report on assistance to Bolivia. The Commission further decided to consider this subject at its forty-first session, in the light of the Secretary-General's report on the implementation of this resolution. With regard to such implementation, attention is drawn to the report of the Secretary-General contained in document E/CN.4/1985/31.

^{1/} E/CN.4/1984/46

3. The Commission on Human Rights also considered the question of assistance to Uganda and adopted resolution 1984/45 whereby it took note of the report of the Secretary-General ^{2/} and requested him to continue his contacts with the Government of Uganda within the framework of the programme of advisory services, and to identify and bring to the attention of that Government external sources of assistance which it could possibly draw upon: the Commission further invited all States, specialized agencies and United Nations bodies as well as humanitarian and non-governmental organizations, to lend their support and assistance to the Government of Uganda in its efforts to guarantee the enjoyment of human rights and fundamental freedoms.

4. In compliance with that resolution, the Secretary-General, on 8 June 1984, wrote to all States, specialized agencies and United Nations bodies as well as to humanitarian and non-governmental organizations informing them of the substance of Commission resolution 1984/45, recalling Commission resolution 1982/37 which was subsequently approved by Economic and Social Council in decision 1983/139 and stating the areas in which assistance would be required, as identified by the Commission in response to the interest expressed by the Government of Uganda. The Secretary-General also requested that any offer of such assistance be communicated to him whereupon he would duly forward it to the competent Ugandan authorities. As at 21 January 1985 no such offer had been received.

5. The Commission also considered the situation in Equatorial Guinea and adopted resolution 1984/51 which was subsequently approved by resolution 1984/36 of the Economic and Social Council adopted at its first regular session in 1984. In this resolution, the Commission requested the Secretary-General to appoint an expert to visit Equatorial Guinea in order to study, in conjunction with the Government of that country, the best way of implementing the plan of action proposed by the United Nations. Information about the implementation of the resolution is contained in the Secretary-General's report in document E/CN.4/1985/9.

6. The Commission considered the situation in Haiti and at the 36th (closed) meeting adopted decision 1984/109 which was made public under paragraph 8 of Economic and Social Council resolution 1503 (XLVIII). This decision, which was subsequently approved by decision 1984/143 of Economic and Social Council at its first regular session in 1984, requested the Secretary-General to continue his consultations with the Government of Haiti with a view to further exploring ways and means of providing the Government of Haiti with assistance to facilitate the realization of full enjoyment of human rights for the people of Haiti. For the implementation of their decision, attention is drawn to the report of the Secretary-General, contained in document E/CN.4/1985/32.

B. General Assembly (thirty-ninth session)

7. At its thirty-eighth session, the General Assembly adopted resolution 38/97 following its consideration of the report of the Secretary-General on regional arrangements for the promotion and protection of human rights. ^{3/} In its resolution, the General Assembly took note of the report of the Secretary-General; invited the specialized agencies, the regional commissions and the regional intergovernmental

^{2/} E/CN.4/1984/45

^{3/} A/38/480

organizations which have not yet been able to do so to communicate to the Secretary-General their views on exchange 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 exchange. The General Assembly also invited the Secretary-General to submit to the General Assembly at its thirty-ninth session a further report amplifying the report before it and decided to consider the question further at its thirty-ninth session.

8. At its thirty-ninth session, the General Assembly had before it the report of the Secretary-General contained in document A/39/570 concerning regional arrangements for the promotion and protection of human rights as requested in its resolution 38/97. It adopted on this subject, on 14 December 1984, resolution 39/115, paragraph 4 of which reads as follows:

"Requests the Commission on Human Rights, when considering the item on its agenda entitled 'Advisory services in the field of human rights', to pay special attention to the most appropriate ways of assisting, at their request, the countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations"

On the same day the Assembly also adopted resolution 39/116 which invited States members of the Economic and Social Commission for Asia and the Pacific that have not yet done so to communicate their comments on the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo from 21 June to 2 July 1982, to the Secretary-General as early as possible to enable further consultations.

II. SEMINARS

9. At its thirty-ninth session on 9 March 1983 the Commission on Human Rights adopted resolution 1983/40 concerning the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief. By this resolution, the Commission, conscious of the need to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion, requested the Secretary-General to hold within the framework of the Advisory Services Programme in the period 1984-1985 a seminar on the encouragement of understanding, tolerance and respect in matters relating to freedom of religion or belief. This request was endorsed by the Economic and Social Council in its decision 1983/150 adopted at its first regular session in 1983.

10. This seminar was held at Geneva, from 3 to 14 December 1984. The report of the Seminar, issued as document ST/HR/SER.A/16 will be made available to the members of the Commission.

FUTURE SEMINARS

11. Acting upon the recommendation of the Commission on Human Rights in its resolution 1984/35 the Economic and Social Council in its resolution 1984/28 adopted at its first regular session in 1984, requested the Secretary-General to organize, in close co-operation with the International Labour Office, a seminar on ways and means of achieving the elimination of the exploitation of child labour in all parts of the world, within the framework of the programme of Advisory Services in the Field of Human Rights. Arrangements are now being made in close co-operation with the international Labour Office to organize this seminar in Geneva later in 1985.

In addition, the Secretary-General intends to organize, also in 1985, and within the framework of the activities planned for the implementation of the Second Decade to Combat Racism and Racial Discrimination as endorsed by the General Assembly resolution 39/16 of 23 November 1984, a seminar on community relations commissions and their functions which will be financed from the resources allotted to the Advisory Services Programme.

12. In planning future seminars under the programme of Advisory Services the Secretary-General will take into account the relevant resolutions and decisions adopted by the General Assembly, the Economic and Social Council, the Commission on Human Rights and other United Nations bodies dealing with human rights, as well as the suggestions made in this regard by these organs in the course of their deliberations.

III. FELLOWSHIPS AND TRAINING COURSE

A. Fellowships: extent of participation in the 1984 programme, nature of awards and programme for 1985

13. Under the terms of General Assembly resolution 926 (X), human rights fellowships are available to qualified candidates nominated by Member States who plan to study any subject in the field of human rights which is of concern to the United Nations (as defined in the United Nations instruments, international covenants, declarations and resolutions regarding universal respect for human rights and fundamental freedoms) provided, however, that the subject is not one that falls within the scope of other existing technical assistance programmes or one for which adequate advisory assistance is available through a specialized agency. In accordance with Economic and Social Council resolution 1978/14, priority in selection of candidates is given to the needs of developing countries. Among these candidates, preference is given to persons having direct responsibilities in the field of the implementation of Human Rights in their respective countries.

14. In 1984, the Secretary-General received 73 governmental nominations for individual human rights fellowships. The Secretary-General has attempted to ensure a broad distribution of the fellowships among the nationalities of the applicants, taking also into consideration Commission on Human Rights resolutions concerning Bolivia and a specific request addressed to him by the Government of the Republic of Guinea for assistance in the field of human rights. Within the financial resources available, recommendations were made for the award of 30 individual fellowships to candidates from 27 different countries. In this connection, attention is drawn to the annex to this report.

15. Candidates nominated by Governments in 1984 continued to be of a high level in terms of their qualifications. The recipients of fellowship awards included, in particular, government officials with responsibility for the administration of justice and for drafting legislation, as well as other officials from ministries of justice, of education, of the interior and of foreign affairs, and officials of police departments.

16. In 1985, the Secretary-General will continue to provide human rights fellowships, within the available financial resources, as appropriate.

B. Training course

17. In 1984 no training course was organized under the programme.

18. Depending on the availability of funds the Secretary-General will, in co-operation with the interested Governments, explore the possibilities of organizing regional training courses on human rights in future years, in accordance with resolution 17 (XXIII) of the Commission on Human Rights.

IV. ADVISORY SERVICES OF EXPERTS

19. In accordance with General Assembly resolution 926 (X) the programme of advisory services also provides for the advisory services of experts in the field of human rights. Since the inception of the programme in 1956 only a few Governments have availed themselves of these expert services. The Secretary-General wishes to inform the Commission that, depending on the availability of funds, this component of the advisory services programme is still in existence and that he would welcome the interest of Member States in this regard.

ANNEX

1984 HUMAN RIGHTS FELLOWSHIP PROGRAMME

RECIPIENT COUNTRIES AND THE TOPICS OF STUDY
OF THEIR RESPECTIVE FELLOWS

Country	Topic of study
1. Afghanistan	Protection of human rights in the administration of justice
2. Bangladesh	Protection of human rights in the administration of justice
3. Benin	Protection of human rights in developing countries
4. Bhutan	Judicial and other remedies against the abuse of administrative authority
5. Bolivia (2)	Protection of human rights in a multinational society
6. Colombia	The role of the national judicial system in the respect of human rights
7. Cuba	Promotion and protection of the right to work
8. Democratic Yemen	Human rights: development and practice
9. German Democratic Republic	Implementation of economic and social rights as contained in international instruments
10. Guinea-Bissau	Protection of human rights in preliminary investigations and pre-trial proceedings
11. Guinea Republic (1-3)	Protection of human rights in preliminary investigations and pre-trial proceedings
12. Iran (Islamic Republic of)	Protection of human rights in developing countries
13. Iraq	Implementation at the national level of international instruments on human rights
14. Italy	Civil rights and public security legislation with reference to legislation on immigration
15. Ivory Coast	Promotion and respect of human rights in Africa, third world and within the framework of regional organizations

Country	Topic of study
16. Malawi	Role of the police in the protection of human rights with special reference to the rights of the individual, resident aliens and minorities
17. Mauritius	Judicial and other remedies against the abuse of administrative authority in the field of human rights
18. Nigeria	The role of the police in the protection of human rights
19. Panama	Protection of human rights in developing countries
20. Portugal	Protection of human rights in the internal implementation of relevant international instruments
21. Rwanda	Protection of human rights in the administration of justice
22. Saint Lucia	Legal aid and legal advice provisions in civil and criminal courts
23. Sierra Leone	Protection of human rights in the administration of justice particularly in criminal procedure
24. Sri Lanka	The role of public prosecutor in the protection of human rights
25. Tunisia	Questions relating to the consideration of reports submitted under various human rights instruments and implementation procedures
26. Yugoslavia	Comparative analysis of legislation and practice of States parties to the International Covenant on Civil and Political Rights. (In connection with article 14 of the Covenant.)
27. Zaire	Protection of human rights in the administration of justice and legal aid in civil and criminal courts