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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Report of the Third Committee

Rapporteur: Mr. Hermod LANNUNG (Denmark)

1. The General Assembly, at its 530th meeting on 30 September 1955, decided to allocate item 62 of the agenda of its tenth session, "Advisory services in the field of human rights", to the Third Committee for consideration and report.
2. The Third Committee discussed this item at its 660th to 662nd meetings from 14 to 16 November. It had before it chapter VI, section III, section VI, paragraphs 667-671 and section XI, paragraph 714 of the report^{1/} of the Economic and Social Council, and a note (A/2956) by the Secretary-General on advisory services in the field of human rights.
3. The Committee had, as a basis for discussion, a draft resolution recommended by the Council to the General Assembly for adoption.^{2/}
4. During the discussion of the item, some representatives expressed doubts concerning the value of the proposed programme of advisory services in human rights. It was pointed out that, so far, few Governments had taken advantage of services already available under the various resolutions which the present draft resolution would consolidate, and it was not to be anticipated that there would be a much greater response in the future. Moreover, it was doubtful

1/ Official Records of the General Assembly, Tenth Session, Supplement No. 3 (A/2943).

2/ Economic and Social Council resolution 586 E (XX) of 29 July 1955.

whether the programme would, in fact further the cause of human rights, since what was needed was not mere technical knowledge but a willingness on the part of Governments to take action to promote and safeguard human rights. It was further argued that such a programme might detract from and work to the detriment of the existing, and more important, areas of technical assistance.

5. A substantial majority of representatives, on the other hand, supported the Council's recommendation. They felt that the United Nations should be ready to render advisory services in human rights to such Governments as were desirous of receiving them, since the promotion of human rights was one of the purposes of the world organization. They emphasized that the draft before the Committee was a rational consolidation of a number of existing resolutions authorizing assistance in various aspects of human rights and would, furthermore, fill some gaps. As to the value of assistance in human rights, some representatives observed that, among other things, a valuable opportunity would be provided for exchanging information and experience concerning the solution of a variety of problems in human rights. It was pointed out that the advisory services to be established would constitute a self-contained programme and could not have any detrimental effect upon the existing technical assistance programmes.

6. A number of representatives emphasized that the proposed services in human rights should not, and indeed could not, take the place of or supersede in any way the draft International Covenants on Human Rights and the measures of implementation.

7. Oral amendments and suggestions concerning the draft resolution recommended by the Economic and Social Council were submitted by the representatives of Afghanistan, Canada, Denmark, Lebanon and the United States of America. A revised text (A/C.3/L.488) of the draft resolution, which took into account these amendments and suggestions, was placed before the Committee.

8. The voting on the amendments was as follows:

- (a) First amendment (proposed by Afghanistan). In operative paragraph 3 (b), deletion of the words: "which shall indicate their preferences with regard to host countries, and those persons shall be acceptable to the host countries".

The amendment was approved by 22 votes to 4, with 25 abstentions.

- (b) Second amendment (proposed by Afghanistan). In operative paragraph 3 (c):

(1) Replacement of the phrase "either by making a contribution" by the phrase "by making a contribution either";

(2) Addition of the words "supporting staff" after "in the form of"; and

(3) Addition of the words "and payment of local costs" after "services".

The amendment was approved by 44 votes to none, with 7 abstentions.

- (c) Third amendment (proposed by Denmark). In operative paragraph 3 (d), substitution of the words "relevant resolutions" for "existing resolutions".

The amendment was approved by 44 votes to none, with 8 abstentions.

- (d) Fourth amendment (proposed by the United States of America). Addition of the following new operative paragraph 8:

"Requests the Secretary-General to inform Member States of this new programme and of the procedures to be followed in obtaining assistance".

The amendment was approved by 47 votes to none, with 4 abstentions.

- (e) Fifth amendment (proposed by Canada). Addition of the following new operative paragraph 9:

"Requests the Economic and Social Council to submit to the thirteenth session of the General Assembly a report containing:

"(a) An evaluation of the projects carried out under the programme of advisory services in human rights with particular reference to the extent to which these projects have furthered the aims and purposes of the United Nations in the field of human rights;

and

"(b) Recommendations concerning the future of the programme."

The amendment was approved by 51 votes to none, with 3 abstentions.

9. The draft resolution recommended by the Economic and Social Council as a whole, as amended, was adopted by 50 votes to none, with 4 abstentions.
10. The Secretary of the Committee stated that in order to bring the preamble into conformity with the standard form, the words "Taking note", in the third, fourth and fifth paragraphs of the preamble had been replaced by "Recalling".
11. The Third Committee accordingly recommends to the General Assembly the adoption of the following resolution:

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

The General Assembly,

Considering that by Articles 55 and 56 of the United Nations Charter the States Members of the United Nations have pledged themselves to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing that technical assistance, by the international interchange of technical knowledge through international co-operation among countries, represents one of the means by which it is possible to promote the human rights objectives of the United Nations as set forth in the Charter and in the Universal Declaration of Human Rights,

Recalling General Assembly resolution 729 (VIII) of 23 October 1953 authorizing the Secretary-General to render, at the request of Member States services which do not fall within the scope of existing technical assistance programmes, in order to assist those States in promoting and safeguarding the rights of women,

Recalling General Assembly resolution 730 (VIII) of 23 October 1953 authorizing the Secretary-General to render, at the request of any Member State, technical advice and other services which do not fall within the scope of existing technical assistance programmes, in order to assist the Government of that State within its territory in the eradication of discrimination or in the protection of minorities, or both,

Recalling General Assembly resolution 839 (IX) of 17 December 1954 authorizing the Secretary-General to render, at the request of Member States, services which do not fall within the scope and objectives of existing technical assistance programmes, in order to assist those States in promoting freedom of information, and Economic and Social Council resolution 574 A (XIX) requesting the Secretary-General to take steps to put into operation a programme to promote freedom of information by providing such services as experts, fellowships and seminars,

Taking account of the arrangements previously established by the General Assembly concerning the regular technical assistance programme and the advisory services of the United Nations in its resolutions 200 (III), 246 (III), 305 (IV), 418 (V), 518 (VI) and 723 (VIII),

Considering that the specialized agencies, within their competence and by virtue of their regular programmes of technical assistance, are already rendering important services to their members with a view to ensuring the effective observance of human rights,

1. Decides to consolidate the technical assistance programmes already approved by the General Assembly (relating to the promotion and safeguarding of the rights of women, the eradication of discrimination and the protection of minorities and the promotion of freedom of information) with the broad programme of assistance in the field of human rights proposed in the present resolution, the entire programme to be known as "Advisory services in the field of human rights;

2. Authorizes the Secretary-General:

(a) Subject to the directions of the Economic and Social Council, to make provision at the request of Governments, and with the co-operation of the specialized agencies where appropriate and without duplication of their existing activities, for the following forms of assistance with respect to the field of human rights:

- (i) Advisory services of experts;
- (ii) Fellowships and scholarships;
- (iii) Seminars;

(b) To take the programme authorized by the present resolution into account in preparing the budgetary estimates of the United Nations;

3. Requests the Secretary-General to undertake the performance of the assistance provided for in paragraph 2 (a) above, in agreement with the Governments concerned, on the basis of requests received from Governments and in accordance with the following policies:

(a) The kind of service to be rendered to each country under paragraph 2 (a) (i) shall be determined by the Governments concerned;

(b) The selection of the persons under paragraph 2 (a) (ii) shall be made by the Secretary-General on the basis of proposals received from Governments;

(c) The amount of assistance and the conditions under which it is to be rendered shall be decided by the Secretary-General with due regard to the greater needs of the under-developed areas and in conformity with the principle that each requesting Government shall be expected to assume responsibility, as far as possible, for all or a considerable part of the expenses connected with the assistance furnished to it, by making a contribution either in cash, or in the form of supporting staff, services and payment of local costs for the purpose of carrying out the programme;

(d) The assistance shall be applicable to any subject in the field of human rights, in addition to the subjects covered by the relevant resolutions of the General Assembly, provided however that the subject shall be one for which adequate advisory assistance is not available through a specialized agency and which does not fall within the scope of existing technical assistance programmes;

4. Requests the Secretary-General to report regularly to the Economic and Social Council, to the Commission on Human Rights and, as appropriate, to the Commission on the Status of Women, on the measures which he takes in compliance with the terms of the present resolution;

5. Recommends that the specialized agencies continue to develop their technical assistance activities with a view to aiding Member States to further the effective observance of human rights;

6. Invites the specialized agencies to communicate to the Economic and Social Council, for transmission to the Commission on Human Rights, any observations which they may find appropriate on the above assistance and on any new measures of assistance which they may deem necessary with a view to assisting Member States in furthering the effective observance of human rights;

7. Expresses the hope that international and national non-governmental organizations, universities, philanthropic foundations and other private groups will supplement this United Nations programme with similar programmes designed to further research and studies, the exchange of information and assistance in the field of human rights;

8. Requests the Secretary-General to inform Member States of this new programme and of the procedures to be followed in obtaining assistance;

9. Requests the Economic and Social Council to submit to the General Assembly at its thirteenth session a report containing:

(a) An evaluation of the projects carried out under the programme of advisory services in human rights with particular reference to the extent to which these projects have furthered the aims and purposes of the United Nations in the field of human rights;

(b) Recommendations concerning the future of the programme.
