COMMISSION ON HUMAN RIGHTS

Forty-fourth session

SUMMARY RECORD OF THE 35th MEETING

Held at the Palais des Nations, Geneva, on Thursday, 25 February 1988, at 10 a.m.

Chairman: Mr. SENE (Senegal)

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Advisory services in the field of human rights (continued)

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GE.88-11178/2868G
The meeting was called to order at 10.15 a.m.

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS (agenda item 22) (continued) (E/CN.4/1988/6, 38, 39 and Add.1, 40 and Add.1, 42 and 60)

1. Mr. Rietjens (Belgium) said that the subject of advisory services in the field of human rights was of particular importance in the current year, due in part to the two reports submitted by independent experts, one on Guatemala (E/CN.4/1988/42) and the other on Haiti (E/CN.4/1988/38).

2. The human-rights situation in Guatemala still gave cause for grave concern, but only a constructive approach would yield positive results. As the report pointed out, it would be wise to use advisory services to help monitor the situation in that country. Progress had been made in developing a legal framework to ensure respect for human rights, but it had not yet proved possible to provide concrete and effective human-rights guarantees. His delegation therefore supported the recommendations made in the report and considered that the Expert's mandate should be prolonged.

3. The report on Haiti showed how worrying the situation there was. The Commission had rightly decided not to make use of the procedure provided for in resolution 1503 (XLVIII) of the Economic and Social Council for a confidential examination of the human-rights situation there, since such a procedure was not appropriate when the Government that had been guilty of human-rights violations was no longer in power.

4. Unfortunately, the hopes awakened by the change of power in Haiti had not materialized, and the tragic events of 29 November 1987 had prevented the Haitian people from expressing itself freely. The Commission's Expert had been forced to postpone his voyage to a later date. The Expert should be commended on his efforts and asked to pursue his mission and to keep the Commission fully informed of any new developments in the situation there.

5. His Government was pleased that, on the initiative of the Under-Secretary-General for Human Rights, the Centre for Human Rights was preparing to give a new direction to advisory services. The Commission must not remain passive when Governments requested human-rights assistance. It was difficult to guarantee respect for human rights when a Government was unable to set up the infrastructure needed to that end. National legislation must be carefully drafted and accessible and must provide those who implemented the law with the material means of exercising their functions appropriately.

That was why it was so important to train judges, expand the teaching of law and publish official journals and legal decisions. It was high time that the international community began providing assistance geared to those needs.

6. His delegation wished to congratulate the Secretariat on the medium-term plan of activities it had proposed in the field of advisory services and technical assistance activities (E/CN.4/1988/40). The aims of the various subprogrammes were all good but, in view of the limited resources, it would be wise to set priorities. Top priority should be given to subprogramme 3, whose overall aim would be to assist Governments in the development of the necessary infrastructures to meet international human-rights standards.
7. As the implementation of that programme might require more funds than were available, it might be useful to consider how the United Nations Development Programme (UNDP) could be associated with it. United Nations technical assistance bodies often failed to give adequate attention to programmes that might have a direct and positive impact on the enjoyment of human rights. The Commission should urge UNDP to set aside resources to that end and should ask the Secretary-General to set up a technical assistance structure in close co-operation with UNDP.

8. His delegation welcomed the proposal, in subprogramme 4, to award scholarships for participating in human-rights training courses at the International Institute of Human Rights, Strasbourg, since the Centre for Human Rights did not have the means to hold such courses itself.

9. Subprogramme 6 should be enlarged to include assistance to newly created institutions for the promotion of human rights. His delegation had particularly in mind the African Commission on Human Rights.

10. Mr. PETERS (German Democratic Republic) said that assistance to States for the promotion of human rights should focus primarily on offering advisory services by experts, granting stipends and scholarships, and holding seminars and training courses. Day-to-day practice had shown that such forms of assistance provided an appropriate framework for meeting the needs and interests of the Member States in that field.

11. The report of the Secretary-General on advisory services in the field of human rights (E/CN.4/1988/40) revealed that very few Governments had requested such expert advice. Ways should be considered, therefore, of ensuring greater effectiveness in the allocation of the material and financial resources available. One viable approach would be to place greater emphasis on scholarships and training courses.

12. The granting of stipends and scholarships and the holding of seminars and training courses would produce the desired results only if those involved in the process represented a broad spectrum of countries with differing social and legal systems and economic, geographic and cultural situations. The advisory services should not aim solely at the upgrading of professional qualifications but should also be concerned with creating a sound basis for co-operation between States in a variety of fields and that, in its turn, would help improve the international situation and strengthen security in the world.

13. His delegation supported both the concept and the implementation of fellowship programmes because participants, returning to their countries, could act as multipliers, spreading knowledge and experience in the field of human rights. That being so, the proper selection and presentation of subject-matter were very important. Participants in such programmes should be able to use at least half the time available to gain practical experience at meetings and conferences in the human-rights field. The subject-matter should focus primarily on fundamental questions of human rights. It was both reasonable and useful to admit as many candidates as possible from a wide range of countries. On that score, the Centre for Human Rights had made a good choice over the past few years.
14. Such training courses as the one held at Bangkok in October 1987 (E/CN.4/1988/39/Add.1) made sense, because they helped to enhance public awareness and understanding of human rights, while at the same time promoting co-operation among the States of the region in that field. The wide spectrum of issues covered was quite remarkable. His delegation appreciated, in particular, chapter IV of the report relating to the discussions and the conclusions drawn in connection with the training course. It had also noted, with satisfaction, that the report contained, among other substantive conclusions, a reference to the need to attach greater attention to the interdependence and indivisibility of human rights (paragraph 43).

15. Mr. ERMISHIN (Union of Soviet Socialist Republics) said his delegation welcomed the progress made in improving the effectiveness of the advisory services since the forty-third session of the Commission. Many of the suggestions made by his and other delegations had found concrete expression in the report of the Secretary-General (E/CN.4/1988/40) which, on the whole, had given the right direction to the work of the Centre for Human Rights.

16. All advisory work must contribute towards achieving the goals set out in General Assembly resolutions, for example, the struggle against apartheid, racial discrimination, inequality and other human-rights violations. Co-operation in such efforts would yield concrete results if all countries participated on an equal footing. Such co-operation could take a variety of forms.

17. Although training courses, fellowships, expert assistance and the like were important, the most effective way to exchange experience was at international and regional seminars, and that part of the programme should thus be given adequate attention.

18. The medium-term plan rightly focused upon the regional aspect of co-operation and regional and international co-operation should complement one another more closely. When planning concrete projects, the Centre for Human Rights should draw upon documents and ideas discussed at the regional level that might be used to strengthen international co-operation. In that context, his Government had proposed to hold a conference in Moscow on human-rights questions in the framework of the overall European process. Furthermore, the dynamic development of infrastructures for economic and political co-operation in the Asian-Pacific region might be used to strengthen co-operation in the field of human rights. His delegation had taken note of the success of the training courses held at Bangkok in 1987.

19. The report noted that, since 1956, only a few Governments had made use of expert assistance. That unsatisfactory state of affairs might be due to the impact that such stereotypes as "development", "underdeveloped", and "developing" had upon the attitudes of both those who offered and those who received assistance. Those offering advisory services were primarily proponents of a sole legal system, yet it was well known that differences existed even between the common-law and continental civil-law systems and, in recent years, the Soviet law system had also received widespread interest. The Centre for Human Rights should, perhaps, see to it that its advisory services did not simply pass on "standard" models, but instead exchanged ideas.
on an equal footing. That way, those receiving assistance could consider the experience of all forms of government, and the advisers would represent all legal systems and all States, whether large or small, developed or developing. That did not exclude pluralistic methods, and interested Governments could invite experts representative of various legal systems. Such an approach would yield more useful results.

20. His Government welcomed the creation of the Voluntary Fund for Advisory Services in the field of human rights. The experience of similar funds in the specialized agencies of the United Nations system had shown that their effectiveness largely depended on whether the concrete projects were democratic and carefully co-ordinated, and whether the search for new forms of assistance, including aid-in-kind, was flexible and purposeful. The Advisory Services section of the Centre for Human Rights should give close attention to the Voluntary Fund.

21. In that context, it was necessary to investigate more closely the financial situation of United Nations human-rights machinery. If Governments were better informed, they could fix more precise priorities and achieve them more easily. That related not only to advisory services but to the work of the Centre for Human Rights as a whole.

22. National institutions had an important part to play in ensuring respect for human rights. In the final analysis, the degree to which human rights were respected in a given country and the contribution of that country to international co-operation largely depended on how effectively its national institutions ensured the economic, social, cultural, civil and political rights of the population. A broad exchange of information and experience on that question would be of great use. There, again, the Centre for Human Rights and, in particular, its advisory services, could take on a co-ordinating function. There were many public organizations in his country that focused closely upon national and international human-rights questions; that was clear proof of the readiness on the part of the Soviet population to participate directly in broadening international co-operation in the field of human rights.

23. The programme of advisory services should help develop international co-operation in the field of human rights. Confrontations with stereotypes and attempts to impose a sole model for political and social development must be avoided.

24. Mr. CHARLES (Observer for Haiti) said that an event of overriding importance had occurred in his country since the forty-third session of the Commission: the investiture as President of the Republic on 7 February 1988 of Mr. Leslie Manigat. Immediately following his election on 17 January 1988, Mr. Manigat had appealed to all Haitians of good will to work towards national reconciliation and a democratic Government.

25. The new President, who was well known in the international community, had fled Haiti under the Duvalier régime and had not returned from exile until 1986, after the régime had collapsed. The new ministerial cabinet was made up of men of great intellect and moral integrity, many of whom had served for
years in various bodies of the United Nations. There were thus many reasons to be optimistic about the future of democracy in Haiti and the excellent relations that his Government would maintain with the Commission on Human Rights.

26. In his report on Haiti (E/CN.4/1988/38), the Expert had stressed that a useful dialogue on the subject of human rights could only take place with the political authorities which would have taken definitive charge of their country's future (paragraph 33). His Government expected much from the assistance the Commission could give it in the framework of advisory services.

27. Despite the ratification on 29 March 1987 of a Constitution and the investiture of a new President, democracy could not be restored simply by creating the appropriate institutions. It was equally essential to obtain the co-operation of courageous men and women willing to see to it that those institutions functioned efficiently. That was a difficult undertaking in a country in which more than three quarters of the population still lived in abject poverty.

28. His Government thus agreed fully with the statement in the report that the concretization of those constitutional rules was the task to which Haiti's new rulers would have to devote all their efforts without delay, guaranteeing the operation of the institutions envisaged in the Constitution by means of legislative texts or regulations (paragraph 37). His delegation recommended that the Expert's mandate should be renewed.

29. Mrs. KLEOPAS (Cyprus) said that her delegation was pleased to note, from the report of the Secretary-General (E/CN.4/1988/40), that restructuring had recently been undertaken within the Centre for Human Rights in order to provide fresh emphasis on the provision of advisory services. It also welcomed the establishment of the Voluntary Fund and hoped that contributions to it would increase so that the growing demand for such services could be met.

30. The programme's success depended largely on the willingness of Governments to request or to accept the services provided. Her delegation therefore welcomed the growing number of requests for assistance under the programme; her Government had already indicated its own needs. Another important factor for the programme's success was its target groups: the latter should include persons or institutions directly involved in implementing human-rights instruments and those having the ability to further the cause of human rights in their respective countries. Her delegation welcomed the programme activities undertaken to date; it believed that the outline for the medium-term plan was balanced and well thought out, and hoped that it would receive adequate funding.

31. Mrs. COLVIN (United Kingdom) said that her delegation noted with regret that few Governments had so far availed themselves of the services of experts, and hoped that paragraph 19 of the Secretary-General's report (E/CN.4/1988/40) would be widely noted in that regard. The recommendations made in the report of the Special Rapporteur on questions relevant to torture (E/CN.4/1988/17) concerning training programmes for law and security personnel and the establishment of a panel of experts within the context of the advisory services programme were very interesting and, provided that they were properly planned and not allowed to overload that programme, they might well be adopted.
32. As could be seen from the annex to document E/CN.4/1988/40/Add.1, UNDP could provide welcome help in the task of identifying countries in need of assistance; it was to be hoped that the Secretary-General would continue his efforts to that end in cooperation with the Governments concerned.

33. The programme was funded from the United Nations regular budget, to an amount of $765,700 for the biennium 1988-1989, and from the Voluntary Trust Fund, to which her Government would be contributing £20,000. It was important to make the best use not only of government contributions but also of the regular budget allocation. Her delegation would like to see that allocation devoted more to training courses and the provision of expert assistance than to large-scale seminars and fellowships, which generally had little practical value. The Secretary-General's list of the distribution of fellowships made no mention of the subjects or the use to which the results could be put and her delegation would like to see more details about the benefits derived from such fellowships.

34. Training courses had greater potential benefit and the one held at Bangkok appeared to have been useful. Some participants had commented, however, that international human-rights instruments took insufficient account of local and national customs and traditions, and doubts had seemingly been expressed about individual, as opposed to collective, rights. Such comments were rather surprising, since the basic human-rights instruments had been drawn up by the international community as a whole. Her delegation hoped, nevertheless, that such courses would lead to increased understanding of the instruments in question and a greater enthusiasm for ratifying or acceding to them.

35. Her delegation noted with satisfaction that the subregional training course held at San José had been considered useful by the participants and that emphasis had been placed on practical work as well as teaching. The course at Lusaka had likewise focused on providing guidance to national officials on their reporting obligations under international human-rights instruments, as well as on facilitating the speedy ratification and effective implementation of them and promoting in the region a better understanding and awareness of the international human rights system. As at San José, one suggestion had been the compilation of a manual on human-rights reporting for use by government officials - a task which the Centre for Human Rights might usefully assume.

36. With regard to the use of experts, her delegation was pleased to note, from the report of the Commission's Expert on Guatemala (E/CN.4/1988/42), that there had been positive developments in the efforts of the Government of Guatemala to protect and guarantee human rights. It also welcomed the positive response of the President of Guatemala regarding the two situations which, in the Expert's view, should be remedied and the measures to be adopted. It hoped that the Commission would endorse the Expert's recommendations.

37. As for the report on the situation in Equatorial Guinea (E/CN.4/1988/6), her delegation was pleased that the Government of that country had communicated to the United Nations its observations on the report of the two consultant jurists and that the Expert continued to take an interest in the situation there.
38. With regard to the report by the Expert on Haiti (E/CN.4/1988/38), it was to be hoped that, since elections had taken place, the Expert would be able to visit the country; he had made some worthwhile proposals regarding the establishment of an independent judiciary, an autonomous police force and a reform of the prison system.

39. In 1983, the Ugandan Government had put forward a list of priorities for which it had requested assistance, but none had as yet been given, and her delegation urged the Centre to give the highest priority to assisting Uganda. Her Government had already substantially assisted the Ugandan Government in training and equipping a police force, as an effective contribution to restoring respect for human rights.

40. The outline for a medium-term plan of activities (E/CN.4/1988/40, paras. 26-37) deserved further study. She hoped that the Secretary-General would take her Government's views into account in any more detailed plans, particularly in view of the programme's rapid development and the increased budget since the establishment of the Voluntary Fund.

41. Mr. SUGANUMA (Japan), having welcomed the establishment of the Voluntary Fund for Advisory Services, said that, in view of the serious financial crisis faced by most Member States, it would require careful management, giving high priority to courses which could contribute directly to the implementation of human-rights instruments. The medium-term plan of activities described in the Secretary-General's report should be examined from that standpoint. His Government would study the possibility of making a contribution to the Fund.

42. The report of the Expert on Guatemala (E/CN.4/1988/42) had shown in detail the progress made concerning the legal framework and the Government's attitude towards human rights, whilst not overlooking factors that still hampered improvement in the situation. The report and its recommendations demonstrated the possibilities of cooperation in the field of human rights. It was to be hoped that the Government's welcome cooperation would be further enhanced within the programme of advisory services.

43. His Government appreciated the holding of a training course at Bangkok, and the contributions made by of the Centre for Human Rights and ESCAP. As noted in the report on the course (E/CN.4/1988/39/Add.1), the participants had been able to exchange views and information, and encouragement had been given for the various country projects in the context of regional arrangements for human-rights teaching. His delegation hoped that the participants' views and recommendations would lead to positive suggestions on how to improve such teaching.

44. Ms. LUND (Norway) said that her Government welcomed the recent restructuring within the Centre for Human Rights to put fresh emphasis on the advisory services programme and commended the Under-Secretary-General for Human Rights on the initiative, regarding the proposed outline of a medium-term plan of activities, which was needed to make the best use of resources. At the same time, the long-term impact of the type of assistance given must be borne in mind; primary emphasis should be on supporting efforts towards the true exercise of human rights in the countries concerned.
45. Her Government would prefer a major part of the programme to be directed towards practical assistance to Governments in establishing and developing the basic infrastructure, rather than regional seminars and training courses, and would like to see the advisory services programme reoriented accordingly. It also had strong reservations about using funds from that programme for disseminating information, bearing in mind the limited resources available; information campaigns should be financed from other sources.

46. The proposal, made at the Commission's previous session, that the programme should focus increasingly on providing practical assistance to States which requested it could be implemented more effectively by providing expert assistance than by arranging seminars; and the notion of practical assistance had to be wider. The suggestions, in subprogramme 3 of the medium-term plan, regarding assistance to Governments with a view to developing the necessary infrastructures should be more vigorously incorporated into the plan and given priority. Efforts should also be made, depending on the means available, to include assistance towards establishing regional institutes and to explore the idea of regional advisers on human rights, although the funds currently available seemed insufficient.

47. Practical assistance should be financed not only from the Voluntary Fund but from the regular budget allocation; close co-ordination between the two parts of the programme was needed in that regard, as well as close collaboration between the External Relations and Advisory Services sections and with the experts, working groups and relevant non-governmental organizations. Governments should be encouraged to make use of the services available; the Centre for Human Rights could play a crucial role in that regard.

48. Her Government had so far contributed some $150,000 to the Voluntary Fund, to be used for projects and expert assistance in support of an independent judiciary, national human-rights legislation and the education of law-enforcement personnel in newly-established democracies. It urged other Governments to contribute to the Fund and looked forward to reports on its operation. It was prepared to make further contributions to the Fund provided that the programme of advisory services as a whole gave growing priority to assisting Governments to develop human-rights infrastructures.

49. Mr. TAYLHARDAT (Venezuela) said that the Expert appointed with a view to assisting the Government of Guatemala had carried out his tasks in an exemplary manner, as could be seen from his report (E/CN.4/1988/42). He had not only presented an objective picture of the current situation in Guatemala but had made use of contacts with the President and other authorities to propose measures aimed at remedying certain negative aspects he had observed.

50. The situation was clearly a positive one; the Government's policy was not to violate human rights but to safeguard them. The Expert had rightly noted that further advances must depend on enhanced democratization and the full exercise of constitutional powers. His delegation endorsed the Expert's recommendations that the Guatemalan Government be provided with assistance and international collaboration in its efforts to remove the remaining obstacles to the full exercise of human rights, and agreed that a broad programme of assistance, properly prepared, was necessary for that purpose.
51. It would be desirable, therefore, for the Commission to extend the
Expert's mandate and request him to draw up, in consultation with the
Guatemalan Government, a programme on the lines suggested in the report, to be
submitted for the Commission's consideration at its next session, with a view
to a decision on its implementation. Such a step must be without prejudice to
the recommendations made in subparagraph 58(c) of the report, which should be
implemented immediately.

52. His delegation considered that the Guatemalan Government's collaboration
with the Commission had vindicated its statement, at the Commission's
forty-second session, that Guatemala had entered the ranks of Latin American
democracies. It thus endorsed what the Expert said in paragraphs 36 and 61 of
his report. Guatemala was making firm strides along the road to freedom and,
with the international community's continued understanding and collaboration,
could overcome all further obstacles.

53. His delegation intended to introduce a draft resolution on the topic
under the current agenda item, and requested that the Expert's introduction to
his report be reproduced in extenso in the records of the Commission's current
session.

54. In view of the difficulties reported by the Expert on Haiti
(E/CN.4/1988/38), his delegation welcomed the statement by the observer for
that country, which was propitious for the advancement of human rights there.
Further progress would largely depend on the new Government's readiness to
collaborate with the Commission and the seizing of all opportunities to take
measures towards the exercise of human rights and democracy.

55. Mr. PIEDRA (United States of America) said that his delegation was
pleased to hear the Under-Secretary-General for Human Rights state that he
would seek to build up the Advisory Services unit at the Centre for
Human Rights. With help from the United Nations, national institutions for
the promotion of human rights might be created or strengthened and age-old
unjust practices modified in ways directly beneficial to those whose rights
were infringed or denied. His delegation noted with particular satisfaction
that regional human-rights training courses had been held at Bangkok, Lusaka
and San José.

56. Circumstances had unfortunately prevented a visit to Haiti by the Expert
appointed to assist the Government of that country. His delegation hoped that
the new Administration in Haiti would seize the opportunity to exploit the
advisory services available to it under United Nations auspices to help it
realize its proclaimed intention of safeguarding and enhancing the observance
of human rights.

57. His delegation applauded the dedication and fairness of Mr. Gros Espiell
in his report on Guatemala (E/CN.4/1988/42), and agreed with his observation
that the current Administration of that country was striving to protect and
guarantee human rights and fundamental freedoms. Residual violence and
discrimination were, as the Expert had stated, a harmful legacy of the past
which the Government had repudiated and sought to eliminate. The
establishment of a national reconciliation commission proved that the
political will to open a new and promising chapter in Guatemalan history
remain resolute.
58. His delegation expressed appreciation to the Governments of Norway and Canada for their generous contributions to the new Voluntary Fund. His Government was giving close consideration to the possibility, within budgetary constraints, of contributing substantially to that Fund.

59. Mr. MEZZALAMA (Italy) said that the bulk of the work of standard-setting in the field of human rights had been accomplished, and the energies and goodwill of the international community should be directed towards the consolidation of the established norms. In that perspective, the advisory services programme was of fundamental importance. His delegation appreciated the report on advisory services in the field of human rights (E/CN.4/1988/40) and the outline for a medium-term plan of activities which it contained. All the subprogrammes were of the utmost importance and worthy of support.

60. One of the conditions for the implementation of international standards and legislation was the training of human resources at all levels of national administration and public opinion. The interaction between sensitized State and judiciary officials, supported by adequate structures, and a well-informed public held great hope for a substantial breakthrough in the promotion of human rights.

61. The report of the Expert on Guatemala (E/CN.4/1988/42) had set an example, in form and in substance, for other such reports, and his delegation fully supported the recommendations contained therein. It was regrettable that the Expert on Haiti had not been able to enter that country to carry out his mandate, and his delegation appealed to the Government of Haiti to remove the obstacles preventing the implementation of the programmes of advisory services so badly needed.

62. The decision to set up the Voluntary Fund would promote a wider involvement of States in sharing the responsibility for better implementation of human-rights instruments. It was the duty of any country having the capacity to contribute to help the Fund financially. His Government had decided, therefore, to make a special contribution of $50,000 to the Fund. It also supported the idea that the Centre might request to be represented at the annual Pledging Conference which took place annually at Headquarters during the General Assembly.

63. Mr. SUKUL (India) said that there had been a slight but encouraging improvement in the tone of statements delivered before the Commission at its current session. The increased emphasis placed on assistance and advisory services was also welcome in view of the name-calling and victimization which had sometimes prevailed in the human-rights forums of the United Nations.

64. His delegation fully supported the initiative taken by the Under-Secretary-General for Human Rights to expand activities in the areas of public information and advisory services. He also welcomed the medium-term plan of activities for the programme of advisory services, which was outlined in document E/CN.4/1988/40. The Centre for Human Rights would have to be flexible in its implementation of the plan of activities, since it must be able to respond to specific requests and make changes in the light of experience. The plan of activities emphasized the development of national infrastructures, which was particularly important since national Governments...
were primarily responsible for giving effect to international human-rights instruments. It was heartening to note, in that connection, that 39 States had indicated specific requirements in the field of advisory services. The co-operation accorded by the Government of Guatemala to the Commission's Expert, was also encouraging.

65. His delegation was not convinced that there was a need to appoint regional advisers, as proposed under subprogramme 5 of the plan of activities (E/CN.4/1988/40, para. 34). The functions of such an adviser - fact-finding, reacting to emergencies and mediation - were currently being performed by special envoys and representatives appointed by the Secretary-General or by the Working Group and by special rapporteurs of the Commission and the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Any new institutional mechanisms would not be subject to the checks and balances built into the structure of the Commission. It was essential that the programme of advisory services should remain as politically impartial as possible.

66. Mr. INGLES (Philippines) said that recent international developments had made the programme of advisory services more important than ever. The entry into force of a number of international human-rights instruments had increased the burden of reporting obligations, which was particularly onerous for the developing countries. In addition, the restoration of human rights and fundamental freedoms in many countries meant that they needed United Nations assistance in the development of the necessary infrastructures to meet international human-rights standards.

67. His delegation was pleased with the success of the training course on human-rights teaching that had been held at Bangkok in October 1987. It endorsed the suggestions for follow-up activities and the publication of a manual or handbook for the use of civil servants in the preparation of reports to the United Nations supervisory bodies. The subregional training course for Government officials, held at Lusaka, Zambia, in November 1987, had shown the need to disseminate information on the substantive provisions and reporting requirements of the major human-rights instruments, in order to encourage States to ratify them.

68. His delegation endorsed the outline for a medium-term plan of activities for the programme of advisory services, and urged all Governments to contribute generously to the Voluntary Fund for Advisory Services. It welcomed the idea that the Centre for Human Rights should be represented at the annual pledging conference for voluntary funds, held during the General Assembly.

69. Turning to specific country situations, he expressed the hope that the implementation of the Plan of Action drawn up by the Expert on the situation in Equatorial Guinea (E/CN.4/1988/6) would be accelerated in order to guarantee the protection of human rights in that country by the provision of an adequate legal system. He hoped that the Expert on Haiti (E/CN.4/1988/38) would soon be able to enter into direct contact with the country's new leaders, so that he could formulate recommendations for the full restoration of human rights. His delegation supported the recommendation made by the
Expert on Guatemala (E/CN.4/1988/42) that the Commission should continue to observe the human-rights situation in that country and hoped that the broad programme of assistance drawn up by the Expert and the Guatemalan authorities would soon be implemented.

70. His own Government's activities to strengthen national institutions in the field of human rights were concentrated on four major programmes: planning and management, legal and investigation services, public information and education and training. It hoped to receive assistance from the programme of advisory services, particularly under its subprogramme 6 on national institutions, to receive one of the annual human-rights fellowships and, possibly, to conduct a national training course on human rights. The Philippine Commission on Human Rights would like assistance from the Centre for Human Rights in carrying out its duties, including monitoring the Government's compliance with its international treaty obligations.

71. Mr. SECKA (Gambia) said that, in view of the continued failure of Member States to live up to their obligations under existing conventions, it was incumbent upon the United Nations to assist those countries that were making genuine efforts to promote and protect human rights, especially the poorest countries.

72. Significant progress had been made by many African countries in promoting human rights, and many of them recognized the need to entrench human-rights clauses in their constitutions. Many African countries were also soliciting assistance in reorganizing and strengthening their legal systems, as could be seen by the annex to document E/CN.4/1988/40/Add.1.

73. In the spirit of the African Charter on Human and Peoples' Rights, his Government had established an African Centre for Democracy and Human Rights to complement regional efforts towards the fulfilment of obligations under international human-rights instruments. The new Centre would carry out research into problems affecting human rights and democracy in Africa, advise African Governments and non-governmental organizations on specific human-rights problems and promote awareness of the need for the observance of human rights through workshops, seminars and conferences involving people from all over the world, but especially the African continent.

74. The Centre would be administered by a Governing Council and an Executive Board comprising donor agencies and internationally renowned persons. Its staff would be accorded diplomatic immunities and privileges in order to guarantee its integrity and independence. Emphasis would be placed on a pragmatic approach to avoid transforming it into an academic institution.

75. All courses taught at the Centre would be of short duration and aimed at specific target groups, such as lawyers, judges, trade unionists, doctors, military and police officers and the staff of various institutions. The courses would focus, inter alia, on the African Charter on Human and Peoples' Rights, protection of human rights in criminal law and procedure, prisoners under international law and the rights of children and minorities. Various organizations had expressed an interest in providing assistance to the Centre.
76. Mr. DESPOUY (Argentina) said, with particular reference to operative paragraphs 3 and 4 of Commission resolution 1987/37, that the Centre for Human Rights could offer specific programmes to those countries regarding which the competent United Nations bodies had made recommendations and proposals. That would considerably extend the range of countries that could benefit from advisory services and would contribute to harmonizing and co-ordinating the various international human-rights organs.

77. All countries needed to make some effort to bring about full implementation of international human-rights standards, and States should be encouraged to request advisory services in those areas in which they felt they needed improvement. The list of the 39 countries (E/CN.4/1988/40/Add.1) which had requested technical assistance to strengthen their legal institutions showed that an increasing number of States no longer felt that asking for assistance was a stigma.

78. His delegation supported the outline for a medium-term plan of activities contained in the Secretary-General's report (E/CN.4/1988/40). The activities under Subprogramme 1 could be expanded to reach a broader group of sectors than those mentioned, especially in public administration, in order to encourage more States to become parties to human-rights instruments.

79. His delegation agreed with the suggestion in paragraph 32 of the report that the Centre could take the initiative in making offers of assistance to target countries, i.e., those mentioned by the Human Rights Committee or other monitoring bodies, and to newly-established Governments advocating the promotion and protection of human rights. Such a mechanism should be made available especially to those countries that were making real efforts to ensure the functioning of their democratic institutions.

80. His delegation expressed its appreciation to Mr. Gros Espiell for his excellent report on Guatemala (E/CN.4/1988/42), which would be a very useful model for future experts to use in respect of advisory services. The interest of the Government of Guatemala in continuing to co-operate with the Commission was commendable. It was to be hoped that, in the case of Haiti, the authorities would also give their co-operation to the Commission and that the Government of Equatorial Guinea would carry out without delay the Plan of Action proposed in 1981 by Mr. Volio Jiménez.

81. The establishment of the Voluntary Fund would considerably expand the horizon of human-rights activities promoted by the United Nations. His Government expected to announce its contribution to the Fund in the near future.

82. Ms. RESCH (Observer for Finland) said that the programme of advisory services represented the third phase of the international human-rights programme, after the codification of international legislation and the development of supervisory and implementation machinery. The provision of advisory services or technical assistance had a profound effect on the implementation of existing norms.

83. The advisory services programme must provide specific help to Governments in their campaigns to realize human rights. Her delegation supported the endeavours of the Centre for Human Rights to increase general understanding of
the international human-rights instruments and provide practical assistance in the development of national human-rights infrastructures. She thus welcomed the action taken by the Under-Secretary-General for Human Rights to strengthen the advisory services programme.

84. Her delegation supported the medium-term plan of activities for advisory services and technical assistance, as outlined in document E/CN.4/1988/40. The establishment of the Voluntary Fund for Advisory Services was a positive development, which should provide additional resources to meet the growing demand. Her Government's contribution to the Voluntary Fund amounted to over $12,000.

85. Mr. TREMBLAY (Observer for Canada) said that the Commission's debate on the programme of advisory services gave it the opportunity to take a more measured and longer-term view of the global human-rights situation, without concentrating on specific countries. The Secretary-General's report (E/CN.4/1988/40) reflected the new emphasis on practical assistance to Governments. The programme of advisory services was also linked to human-rights activities carried out under other agenda items, such as the work of the special rapporteurs and representatives, the Working Group on Enforced or Involuntary Disappearances and the treaty monitoring bodies.

86. His Government, which had been the first contributor to the Voluntary Fund for Advisory Services, was most encouraged by the number of contributions made to date. In the first few years, in particular, the Voluntary Fund should concentrate on clearly delineated practical measures and identify appropriate target groups, including regional groups and organizations, national Governments and non-governmental human-rights organizations.

87. The outline for a medium-term plan of activities submitted by the Secretary-General would play a critical role in putting the programme of advisory services on a firm footing. His delegation agreed that individual elements of the programme should be supported by intensive information campaigns, but the dissemination of information should be seen as an essentially supportive element in the overall effort, rather than as an end in itself.

88. There was a need for more systematic investigation into the possibilities available under the Voluntary Fund. Various countries had provided instructive suggestions, and the deliberations of the human-rights monitoring bodies might be another useful source of ideas. The Centre for Human Rights might stimulate further suggestions by circulating a brochure on the Voluntary Fund or holding consultations with interested Governments.

89. Information on the Voluntary Fund might also be distributed through the specialized agencies or in the context of bilateral development programmes. The International Centre for Human Rights and Democratic Development, soon to be established in his country, would collaborate closely with the Centre in that area. The Voluntary Fund being firmly in place, it was essential to identify and execute successful projects in order to secure its future.

90. The programme of advisory services had an important part to play in the resolution of serious human-rights problems particularly in cases where the States concerned were clearly emerging from difficult circumstances. However,
his delegation had reservations about the appropriateness of considering specific country situations under the current agenda item. Such discussions should take place under agenda item 12, which might be reorganized into a series of sub-items dealing, respectively, with States which refused to co-operate with the United Nations, States which co-operated with special rapporteurs or experts, and States which were emerging from difficult situations and required the active assistance of the Organization.

91. Mr. HERNDL (Observer for Austria) said that the Under-Secretary-General for Human Rights had demonstrated his personal interest in the agenda item under discussion by strengthening the programme of advisory services. Unlike the other items on the Commission's agenda, the programme of advisory services was concerned not with existing human-rights violations, but with the prevention of such violations in the future and his delegation urged all States to make full use of the advisory services available and to support them in every way.

92. Although the programme had existed since 1956, its practical impact on the promotion of human rights had been limited; a number of seminars and round table discussions had been held on general topics of human rights law and policy, but only a few Governments had availed themselves of the expert services available under the programme. The most positive aspect had been the annual fellowships awarded mainly to nationals of developing countries, but there had been no coherent fellowship programme; the fellows had determined the scope of their studies themselves. Since the Centre for Human Rights had more resources at its disposal than previously, his delegation hoped that it would review its activities and build up a range of assistance facilities for States to draw upon if they wished.

93. His delegation commended those who had already contributed to the Voluntary Fund for Advisory Services. The possibility of an Austrian contribution was receiving careful consideration.

94. His delegation considered that the outline medium-term plan of activities for the programme of advisory services placed too much emphasis on regional seminars, training courses and related activities, which were relatively costly to organize. The specific requests for help described in document E/CN.4/1988/40/Add.1 constituted a valuable guide to practical action: the Centre for Human Rights might carry out pilot projects based on the requests it received from States.

95. The Commission had asked the special rapporteurs, special representatives and the Working Group on Enforced and Involuntary Disappearances to suggest specific projects that might be carried out under the programme of advisory services. Proposals had been received from, among others, the Expert on Guatemala. The next step should be to determine the feasibility of the proposals with a view to implementing them, possibly with financing from the Voluntary Fund. The Commission might need to assist the Secretariat in selecting and defining the scope of such projects.

The meeting rose at 1 p.m.