COMMISSION ON HUMAN RIGHTS
Forty-fourth session
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Chairman: Mr. SENE (Senegal)

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Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission; alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms; national institutions for the promotion and protection of human rights.


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1. Mr. MARTENSON (Under-Secretary-General for Human Rights), introducing agenda item 11, recalled that the Commission had begun considering that item in 1963. Discussion over the years had included ways to improve existing methods of protection of human rights and the question whether new institutions or arrangements should be considered within the United Nations system as a means of promoting respect for human rights.

2. In addition, the Commission had undertaken a comprehensive analysis of its own action and that of related bodies in the field of human rights within the United Nations, and it had considered important issues such as national institutions and regional arrangements for the promotion and protection of human rights. Other questions, such as public information concerning human-rights issues, were also considered under agenda item 11.

3. At its thirty-second session in 1977, the General Assembly had formulated, in its resolution 32/130, several concepts to be taken into consideration in future human-rights action within the United Nations system. The Assembly had requested the Commission to undertake, as a matter of priority, an overall analysis of the alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms. At its forty-second session, the Assembly had reiterated its request that the Commission continue its work on overall analysis in accordance with the provisions and concepts of resolution 32/130 and other relevant texts.

4. One of the important questions before the Commission in 1988, under agenda item 11, concerned increasing the efficiency of the United Nations system in the area of human rights. In 1985, the General Assembly had established a Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, and the Group had recommended that an in-depth study be carried out on the intergovernmental structure in the economic and social fields. The Assembly had entrusted the Economic and Social Council with implementing that study, with assistance from interested bodies such as the Commission on Human Rights.

5. To assist it in carrying out that study, the Economic and Social Council had established a Special Commission on the in-depth study of the United Nations intergovernmental structure and functions in the economic and social fields. Both the Economic and Social Council and the General Assembly had requested subsidiary bodies of the General Assembly in the economic and social sectors and all subsidiary bodies of the Economic and Social Council to submit to the Special Commission, within 30 days of the conclusion of their next session, their views and proposals on achieving the objectives envisaged in the recommendation of the Group of High-level Intergovernmental Experts.
6. At its 1987 session, the Commission had considered those issues and adopted decision 1987/108 and, on the basis of that decision, the Commission, had decided, at its current session, to establish an open-ended Working Group, chaired by Mr. Mezzalama, to assist the Commission in preparing a report on those matters for submission to the Special Commission of the Economic and Social Council. That Working Group had already begun its work and was expected to present a report to the Commission shortly.

7. The question of the promotion and protection of human rights through national institutions had engaged the attention of both the Assembly and the Commission over the past few years. At its thirty-ninth session, the Assembly had requested the Secretary-General to prepare and submit to it, through the Commission and the Council, a consolidated report for eventual publication as a handbook on national institutions. The handbook would be for the use of Governments and would include information on the various types and models of national and local institutions for the protection and promotion of human rights. The Commission, at its previous session, had before it that consolidated report, which, pursuant to the decision of the Commission, had been presented to the General Assembly at its most recent session.

8. In its resolution 42/116 the Assembly had requested the Secretary-General to bring that report up to date, bearing in mind the practical needs of those engaged in the development of national institutions, and it had requested the Secretary-General to submit that report, through the Commission and the Council to the Assembly at its forty-fourth session for wide distribution as a United Nations handbook on national institutions. The Secretary-General was thus proceeding with the updating of the report with a view to submitting it to the Commission on Human Rights at its next session.

9. The Commission's deliberations on the specific issues dealt with under agenda item 11, in particular the development of public information activities in the field of human rights, had acquired particular significance in 1988, the year of the commemoration of the Fortieth Anniversary of the Universal Declaration of Human Rights. In 1986 and in 1987, the General Assembly had adopted resolutions (41/150 and 42/131) inviting the Member States, specialized agencies, and non-governmental organizations, inter alia, to support appropriate activities aimed at encouraging the promotion of the universal observance and enjoyment of human rights and fundamental freedoms. The Assembly had also called upon the United Nations to undertake a special programme of activities in order to commemorate the anniversary year.

10. As indicated in the report of the Secretary-General before the Commission (E/CN.4/1988/20 and Add.1), the Centre for Human Rights and the Department of Public Information were in the process of carrying out not only those activities described for action by the United Nations in the annex to resolution 41/150, but also a number of additional activities which were aimed at increasing awareness and knowledge of human rights and fundamental freedoms throughout the world as well as a better understanding of the international machinery available to everyone to help realize those rights.

11. In order to enhance the ability of the Centre for Human Rights to be effective in the fields of information and education and to increase its co-operation with that wider human-rights community made up of the Member States, non-governmental organizations, educational and research institutions
and concerned media, he had undertaken a thorough review of its structure. As a result, and as indicated in the report of the Secretary-General previously mentioned, the Centre for Human Rights had established an entirely new Section for External Relations, Publications and Documentation. The Section, in addition to its main responsibilities for external relations, publications and documentation, would co-ordinate the activities for the Fortieth Anniversary Year. Thus, the commemoration of the year would provide fresh impetus to the work of the Section and would also renew the commitment of the Organization as a whole in that area.

12. Within the framework of the activities for the Fortieth Anniversary Year, he drew the members' attention to the expanded publication programme, in particular the new Fact Sheet series, which should be better geared as a reference and work tool to the human rights community at large. The Centre, aware of the delays in the publication of the Yearbook on Human Rights, intended to publish during 1988 a catch-up issue (or issues) which would cover the period 1981-1987. Furthermore, in keeping with resolution 1979/37 of the Commission on Human Rights which spelled out the mandate for the Yearbook, the 1988 issue would be drafted in closer accordance with that original mandate and would thus place more emphasis on subjects and on the substantive work of human-rights bodies.

13. Every effort would be made henceforth to issue the Yearbook regularly every year, so that in its expanded format it could be of greater use not only to delegations in connection with their attendance of the various human-rights bodies, but also to all those working in the field of human rights. Once widely distributed, for instance to the research and academic communities, the Yearbook could make yet another contribution to renewed efforts in the field of information and education on human rights.

14. He called members' attention to paragraph 23.8 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/42/7) which, "noting a certain amount of overlapping" between the United Nations Yearbook on Human Rights and the Yearbook of the Human Rights Committee, stated that "considerable savings would be achieved if the publications were merged". The ACABQ recommended that "the Commission on Human Rights and the Economic and Social Council take the necessary steps". Having recalled that the mandate for a two-volume publication containing the official records of the Human Rights Committee derived from General Assembly resolution 37/191 of 1982 and had been reiterated in subsequent resolutions of the Assembly, he stated that he intended to look closely into the possibility of rationalizing those publications, while at the same time respecting the relevant intergovernmental mandates.

15. He wished also to draw attention to operative paragraph 3 of General Assembly resolution 42/118 of 7 December 1987, which requested the Secretary-General to prepare a report for presentation to the General Assembly at its forty-third session, later in 1988, on the advisability of launching, within existing resources, a World Public Information Campaign on Human Rights and to include in the report an outline of planned activities. Such a campaign could provide an invaluable opportunity for advancing in an objective and factual manner the universal realization of human rights.
16. Increased awareness of human rights was indeed an essential key to the full implementation of the body of international law available in that field. As he had already had occasion to emphasize to the members of the Commission, people all over the world needed to know that there were standards to which they could appeal and by which national legislation might be measured. They also needed to know that an international machinery existed to promote and protect those rights.

17. In parallel with the Centre's continuing endeavours in the legislative and implementation areas, greater emphasis would be placed on promoting awareness through information and education, in close co-operation with the Department of Public Information, and on strengthening collaboration with that wider human-rights community to which he had referred earlier.

18. Thus, activities would be pursued based on the three pillars of legislation, implementation and information; they formed a triangular inter-relationship which was a necessary condition for the ultimate success of common efforts in the field of human rights.

19. Mr. REITJENS (Belgium) said that there were three ways in which the Commission played its part as the principal United Nations forum for co-operation in the area of human rights: the codification of international standards; the search for the most effective ways of monitoring the implementation of those international standards by Governments; and, most recently, by employing new ways of implementing the existing international standards, particularly through the programme of advisory services.

20. It was essential, therefore, that the current restructuring effort should preserve those achievements, while improving working methods, for example in accordance with General Assembly resolution 41/120. To increase effectiveness in the area of human rights, mechanisms for implementation and control must be strengthened, their independence protected, their competence emphasized and the possibilities they offered better publicized. In that connection, he was confident that the Working Group established for the purpose would make concrete and valid proposals.

21. The rationalization effort could not be just a theoretical restructuring exercise but must render the existing structures more capable of meeting individual needs. In carrying out that work, the Commission's role as the conscience of mankind must be preserved.

22. Mr. LILLIS (Ireland) said he agreed with Mr. Martenson's analysis of the work of the Commission. In his delegation's view, the codification aspect of the Commission's work was so well advanced that it need no longer be regarded as the Commission's highest priority. The work of monitoring and implementing standards was still the Commission's vital activity. Although substantial progress had been made in that area, it was still far too limited when set against the scale of continuing violations.

23. Most of the progress had been made in the previous decade as a result of the procedure established by resolution 1503 (XLVIII) of the Economic and Social Council and of the series of special rapporteurs or similar mechanisms established by the Commission from 1975 onwards to look into various country situations and a number of major thematic problems. While the
Secretary-General's assessment that the world was alert to infringements of human rights as never before was a perfectly legitimate one, a mere favourable comparison with the situation before 1975 was not in itself a sufficient reassurance. It was vital that further progress be made and, in that respect, his delegation was convinced that the role of the special rapporteurs and working groups must be strengthened both institutionally and in terms of their resources.

24. The question how adequacy of progress was to be measured was a difficult one to answer, but any search for an instrument to measure progress must intimately involve the non-governmental organizations, which had marshalled and deployed public pressure leading to the most substantial improvements in the protection of human rights.

25. The major enemies of progress in the area were complacency and what might be called "distraction", namely, the constant and recurring efforts to persuade the international community that the promotion of human rights would come about only through the promotion of good relations between and among States although, in fact, the truth was just the opposite. Although international harmony and better understanding were vital objectives of diplomacy, the first preambular paragraph of the Universal Declaration of Human Rights stated that recognition of human rights was the foundation of freedom, justice and peace in the world, and not vice versa. That was not an abstract argument: the Commission could not accept the theory that the promotion of harmony between nations was a pre-condition for the promotion of human rights, for in that case it would be obliged in practice to ignore violations in certain countries, particularly the powerful ones.

26. Experience had shown, however, that violations diminished and ceased under pressure, and it was the Commission's duty to apply such pressure without regard to the diplomatic consequences thereof. The Commission depended on the non-governmental organizations to bring such pressure to bear in the first instance, in circumstances far more precarious than those affecting the Commission's members. The Commission also relied on the NGOs to transmit the views of the victims of human-rights violations themselves: the message which came clearly through was that the machinery of the Commission must be protected from the distractions of diplomacy and strengthened in courage and independence in the performance of its task.

27. As for the second enemy of progress, complacency, his delegation welcomed the publicity campaign proposed by the Secretary-General and intended to submit a draft resolution in that area. Like many others, it would like the proposed campaign to involve material that was clear, interesting, abundant and accessible to ordinary people. He was happy to report that, on the occasion of the Fortieth Anniversary of the Universal Declaration of Human Rights, his Government had provided £10,000 to support the campaign in its own State. He urged all Governments to do likewise and to ensure that the efforts of the United Nations itself were properly financed.

28. However, it would be disastrous if the Commission were to adopt a self-congratulatory or complacent tone of voice when addressing the task of publicizing its own activities. Its case, which must be made with a sharp sense of the modesty of its successes, should be addressed first and foremost
to those whose human rights were being violated and to the national organizations that were risking so much to help them. For that reason, his delegation proposed that the Centre should consult not only Governments but the non-governmental organizations active in that area.

29. He also wished to commend and support the new priority to be given to advisory services, as well as the Voluntary Fund intended to enlarge the limited resources available in that field. There was no doubt that better training, better "sensitizing", and better systems of administration and command could help to improve the level of respect for human rights shown by soldiers, policemen, judges and Ministers of the Interior. However, great care must be taken to ensure that the provision of advisory services was not used as an excuse to avoid the unpleasant business of putting pressure on Governments to stop them killing or torturing their citizens. Any attempt by the Governments concerned to avoid the examination of country situations on the grounds that they were in receipt of advisory services must also be resisted.

30. The viability of the Commission depended, in the last analysis, on the willingness of its members to permit it to do its job. It was a sad fact that some Governments sought membership of the Commission, or supported candidates for the Sub-Commission, solely for reasons of national prestige, diplomatic leverage or to inhibit the Commission from looking into their back gardens. It should never be forgotten that many innocent sufferers and their families saw their only hope of relief in the Commission. To betray that hope would be unthinkable.

31. Mr. WILLE (Norway) said that, while the United Nations human-rights programme should not be exempted from the overall stocktaking and reform of the Organization, care must be taken not to damage important and sometimes fragile structures that had evolved over the years.

32. As for the Commission's report to the Special Commission of the Economic and Social Council, the informal working paper provided by the Secretariat seemed to be a good basis for further deliberations. Among the elements his delegation would like to see included in that report were the system of special rapporteurs or representatives, whose role in investigating human-rights violations should be strengthened, and the advisory assistance provided to Governments, which should focus on the creation and improvement of the infrastructure for ensuring compliance with human-rights standards. In addition, a full, comprehensive and effective programme of public information activities should be implemented in close co-operation with the Centre for Human Rights.

33. Turning to the Sub-Commission he noted that it was prevented from adequately performing its special role, in part because of the numerous and conflicting expectations of its members. Its agenda was overloaded, and it should avoid consideration of items that were extensively discussed elsewhere in the United Nations system unless it had a particular contribution to make.

34. Mr. CERDA (Argentina) said that the further promotion and encouragement of human rights was a vital aspect of the Commission's work. At the international level, the United Nations must continue to play a leading role
in promoting human rights, in which connection the report of the Secretary-General (E/CN.4/1988/20 and Add.1) had the advantage of linking United Nations activities to the general public and to world public opinion. It was essential, however, that the human-rights programme should be allocated sufficient resources. With regard to regional arrangements for the promotion and protection of human rights, there were some very useful comments in the report of the Secretary-General on the Asian-Pacific region (E/CN.4/1988/39 and Add.1) and several of the suggestions it contained were also applicable to the Latin American region.

35. At the national level, it was for Governments to play the main role in promoting human rights. He therefore appealed to those countries that had not yet done so to ratify the international instruments on human rights and also to create and strengthen national institutions for the promotion and protection of human rights.

36. With regard to advisory services, the United Nations should have a higher initiation capacity in those countries and regions which clearly demonstrated difficulties in the area of human rights, and sub-programmes in that sphere should clearly indicate those countries, or regions rather than focus on whether or not they had signed the international instruments.

37. His delegation, which was participating in the Working Group established by Commission decision 1987/108 to prepare the report to the Special Commission of the Economic and Social Council, hoped that the report would highlight the important work done by the Sub-Commission, which had frequently called the Commission's attention to questions that the international community was not prepared to analyse at the level of Governments and which, thanks to its efficient work, had been incorporated into the Commission's agenda. To avoid duplication of work, however, the Sub-Commission should concentrate chiefly on questions that had not been sufficiently examined by other bodies in the United Nations system.

38. Mr. KOMISSAROV (Byelorussian Soviet Socialist Republic) said that United Nations efforts within the framework of international co-operation in the field of human rights must be focused as a matter of priority on combating flagrant and mass violations of human rights, particularly in situations which threatened international peace and security.

39. Among the most urgent tasks facing the world community were the eradication of the last bastions of colonial domination in southern Africa and other regions and overcoming the enormous negative impact of colonialism and other well-known obstacles to social progress and the free development of peoples. The importance of those tasks was clearly reaffirmed in General Assembly resolution 32/130, which had received broad support from States in all parts of the world.

40. The development of international co-operation in human rights would undeniably assist United Nations efforts in those areas. The number of States parties to the major international instruments on human rights was growing and an extensive system of representative human-rights bodies had been set up within the United Nations. Rather than creating new bodies, posts or procedures, therefore, emphasis should be placed on enhancing the effectiveness of the existing system.
41. The Commission on Human Rights, in particular, had achieved a great deal in facilitating a dialogue between States and contributing to their adoption of decisions to promote respect for human rights throughout the world, in developing international human-rights standards, in providing advisory services to interested Governments and in assisting the Economic and Social Council in its co-ordinating activities within the United Nations in the area of human rights.

42. At the same time, it was clear from the preliminary discussions held in the open-ended Working Group that there was a need for further improvement in the working methods of the Commission and for the rationalization of individual procedures. His delegation believed that one of the ways of enhancing the effectiveness and authority of the Commission was to strengthen its role as a focal point for the exchange of positive experience gained by various States in the promotion and protection of the whole range of human rights. No doubt, the deliberations within the Working Group would also ultimately help to identify further means of rendering the Commission's work as effective as possible.

43. Regarding the Commission's role in facilitating co-operation in the humanitarian field and thus in promoting better understanding, mutual respect, trust and tolerance in relations between peoples, attention must also be given to the resolution of a number of procedural issues. The procedures for international co-operation must be rendered effective and should be based on clear provisions in order to minimize the possibility of their abuse. Furthermore, rigorous criteria must be established for sifting the information considered under those procedures so as to exclude information that was inconsistent or lacking in objectivity.

44. The Secretariat services dealing with human rights had, in recent years, undergone substantial changes. In that regard, it was to be hoped that more consistency would be shown in the work of the Centre for Human Rights in particular, and that due account would be taken of the views of the various groups of States. Thus, citizens of States belonging to different geographical regions and socio-political systems should be proportionally represented in the composition of the Centre. Moreover, the new leadership of the Centre should undertake more active efforts in future aimed at the all-round improvement of its work.

45. Each State had the sovereign right to regulate matters relating to its own socio-political system and constitutional machinery independently and without outside interference. In doing so, it had, of course, to bear in mind its international obligations and the generally accepted principles and standards of international law. For that reason, the most appropriate legal foundation for international co-operation in human rights was agreements whereby the same legal obligations applied to all the States parties. His Government actively supported that approach to international human-rights co-operation.

46. It was gratifying to note the contribution made by the public-information activities of the United Nations in the field of human rights, as outlined in the report of the Secretary-General (E/CN.4/1988/20 and Add.1), especially in
connection with the Fortieth Anniversary of the Universal Declaration of Human Rights. However, in view of the financial constraints facing the Organization, emphasis in future work should be placed on the development of information at the national and, where possible, regional levels.

47. In conclusion, he welcomed the report on the right to adequate food as a human right (E/CN.4/Sub.1/1987/23), which convincingly demonstrated the need for further co-ordinated efforts by all States to overcome the problem of hunger in the contemporary world. The participation of States in such efforts would be a clear measure of their commitment to the goal of effectively safeguarding human rights.

48. Mr. KPOTSRA (Togo), having thanked the Under-Secretary-General for Human Rights for the high-quality assistance to Togo that had enabled it to create a National Human Rights Commission, in accordance with General Assembly resolution 34/49 of 23 November 1979 and with article 26 of the African Charter of Human and People's Rights said that the functions of the Commission in question included examining and recommending to the public authorities all draft texts relating to human rights, organizing human-rights seminars and symposia and expressing views concerning human rights. The Commission was also responsible for protecting citizens against administrative abuses of human rights, and that was its primary role.

49. To carry out its duties, it had to be independent and it was thus made up of 13 representatives of various branches of society, who then elected their own five-member executive. The Commission was also independent at the operational level, and any person who felt his rights had been violated as a result of an act or omission of the administration was able to lodge an appeal with the Commission, the procedure for which he described in detail. An appeal could also be lodged by a third party or a national or foreign non-governmental organization.

50. On 21 October 1987, the National Commission had been officially inaugurated at a ceremony presided over by the President of the Supreme Court and attended by the Under-Secretary-General for Human Rights and representatives of many international non-governmental organizations for the defence of human rights. He would like to thank the Under-Secretary-General for his assistance to the National Commission and for having agreed to the joint organization, by the Centre for Human Rights and the National Commission, of a seminar in Africa from 5 to 7 April 1988 on the occasion of the Fortieth Anniversary of the Universal Declaration, as well as a national training seminar immediately afterwards.

51. Mr. BREGER (United States of America), having expressed his appreciation of the report of the Secretary-General on the development of public information activities in the field of human rights (E/CN.4/1988/20 and Add.1) said it was vital, on the Fortieth Anniversary of the Universal Declaration of Human Rights, for the United Nations to make a special effort to encourage knowledge and discussion of human-rights issues throughout the world. In that respect, he commended the human-rights training courses held at Bangkok and Sydney as well as the introduction of human-rights "modules" in Sri Lankan secondary schools in the previous year.
52. His country was celebrating the two hundredth anniversary of its Constitution, and that had led to an efflorescence of thought about the basic principles that underlay the constitutional scheme of the United States. Similar, international, introspection was needed on the meaning of human rights. Such introspection would lead to a "core" understanding of human rights as political and civil rights, i.e. many of the protections encompassed in the United States Bill of Right.

53. Not all human wants, or indeed all human needs, were human rights. The promiscuous expansion of the concept of human rights did not serve well the peoples of the world. The goal of the United States was that needs should be minimized so that wants, which reflected voluntary and distinct choices of individuals, might flourish. A State should not make such choices for its people in the name of a greater good.

54. Many of the so-called social and economic rights that had proliferated in recent decades were in reality proper goals of Government. The endless enumeration of rights, such as the undefined "right to development", demeaned the core notion of rights as protecting individuals from official abuse. Moreover, such "rights" did little if anything to foster social and economic development and were only calls to increase the State's power over the lives of its people.

55. The American Revolution had been based on notions of limited government and was concerned with the rights of the individual against the Government. The founding fathers had recognized that a Government derived its authority from the citizen, and the signers of the Constitution had set limits upon government itself by creating the systems of checks and balances. His compatriots rejected the theory of "democratic centralism", i.e. the notion that individual rights could be subordinated to a collective good.

56. As new and alternative ways to promote human rights were sought, it must be borne in mind that civil and political rights continued to form the backbone of the individual liberties which even socialist systems sought, at least in part, to embrace.

57. Mr. FATTALLAH (Observer for Egypt) said that the development of public information activities in the field of human rights had a twofold purpose: to allay doubts in certain countries concerning the usefulness of the United Nations and to foster the promotion of human rights. The opportunity offered by the celebration of the Fortieth Anniversary of the Universal Declaration of Human Rights should be used to advantage to give the proper impetus to efforts to achieve the Commission's goals.

58. In that connection, his delegation welcomed the report of the Secretary-General (E/CN.4/1988/20 and Add.1), which could be divided into three parts: activities under General Assembly resolutions 41/150 and 42/131; additional activities carried out by the Secretariat; and the report on the implementation of Commission resolution 1987/39.
59. Concerning the first part, his delegation was confident that the Secretary-General would implement the activities mentioned in paragraph 4 in connection with the Fortieth Anniversary of the Universal Declaration. It was also fully satisfied with the description of the additional activities carried out by the Secretariat, as contained in the second part of the report. It noted with satisfaction the report on the implementation of Commission resolution 39/1987 and hoped, as far as the implementation of paragraph 15 of that resolution was concerned, that the operation of reprinting the main international human-rights instruments would be completed as soon as possible.

60. Mr. HERNDL (Observer for Austria) said that, when drafting its report to the Special Commission of the Economic and Social Council, the Commission must be guided by its own role as the major United Nations body in the field of human rights. It was because of the Commission's untiring work in supervising the implementation of human rights worldwide and developing monitoring mechanisms of its own that the world was regaining confidence in United Nations human-rights world.

61. In that context, the Commission must also insist on remaining the main co-ordinating body in the field of human rights, in accordance with Economic and Social Council resolution 1979/36. The diversity and flexibility of the promotion and protection system established by a number of treaties and by the Commission itself called for a co-ordinated approach to issues to common concern to all supervisory and monitoring bodies.

62. His delegation was confident that the draft report to the Special Committee would soon be received from the sessional Working Group, at which stage it might have further comments to make. The Working Group had already started its discussion on the basis of a working paper ably prepared by the Secretariat. The point made in the paper, which had to be brought home to the Special Commission of the Council, was that human rights were basic to the concept of the Charter and that achievements to the credit of the United Nations must not be let slip. On the contrary, United Nations human-rights activities must be strengthened and adequate resources accordingly provided.

63. Public information activities had a vital role to play in connection with the further promotion and encouragement of human rights and fundamental freedoms. His delegation appreciated the report of the Secretary-General on that question and sincerely hoped that the creation of a new Section for External Relations, Publications and Documentation within the Centre for Human Rights at Geneva would enhance the Centre's capacity to deal effectively with issues of information policy. The Centre would, of course, have to co-ordinate its activities with those of the Department of Public Information in that domain.

64. Among the first major activities of the new section would be those relating to the Fortieth Anniversary of the Universal Declaration of Human Rights. His delegation looked forward to the issuance, pursuant to General Assembly resolution 41/150, of updated versions of the publications: Human Rights. A Compilation of International Instruments (Sales No. E.83.XIV.1) and United Nations Action in the Field of Human Rights (Sales No. E.83.XIV.2), both of which were extremely useful.
65. Public-information activities must reach the millions of individuals who did not even know their rights and consequently could not claim them. The Centre for Human Rights should, in conjunction with the Department of Public Information, begin printing the essential human-rights texts and the many other relevant instruments in separate leaflets, choosing a cheap method of reproduction that would make it possible to print hundreds of thousands of copies for world-wide distribution. He noted that the current stock of Fact Sheet No. 1 of the Centre's new series, which contained some important factual information would soon be exhausted. A reprint should be envisaged, perhaps in a somewhat less expensive format.

66. In the area of regional arrangements, the Council of Europe and the relevant institutions of the Inter-American system had played a most important role. In addition, 1987 had been marked by the very positive development of establishment of the African Commission on Human Rights. The three regional systems in operation must be further strengthened. As for his own country, pursuant to the relevant recommendations of the Council of Europe, a special Austrian Institute of Human Rights had been established in 1987 as a national institution for research, documentation and public information in the field of human rights.

67. Mr. MESTDAGH (Observer for the Netherlands) said he agreed with the Under-Secretary-General for Human Rights that there was an urgent need to develop activities in the field of information, education and dissemination. For the Commission to submit its views and proposals to the Special Commission of the Economic and Social Council, it was necessary to look again at the three areas of the Commission's activities as identified by the Under-Secretary-General. Standard-setting could no longer be qualified as an area of expansion. A wise policy orientation would thus be a two-tier approach, preventing a proliferation of instruments while at the same time applying quality controls to freshly drawn-up sets of norms. The Centre for Human Rights had a central role to play in that field.

68. Increasing emphasis should be laid on implementation, the second area of activities. Unfortunately, some of the mechanisms set up by the Commission to monitor the implementation of human-rights instruments were encountering financial and administrative difficulties. The Commission should discuss as a matter of priority whether any general recommendations on the subject could be made to the Economic and Social Council.

69. The establishment of the new section for information, dissemination and education within the Centre for Human Rights showed that, even in times of financial restraint, a creative reallocation of funds and manpower would enable the organization to pursue policy alternatives. It should be borne in mind that, in the years to come, more and more people would become literate, and more and more information on human rights would be needed. In that connection, the United Nations had to find modern and effective ways of conveying its message. The newly-established section should also ensure that the information supplied was put to practical use on the spot. One way to do so was to increase the availability of local language versions of booklets such as Human Rights Question and Answers, which was contained in the Fortieth Anniversary Information Kit. His delegation was very satisfied with the publication in 70 languages of the "personalized" version of the Universal Declaration of Human Rights.
70. Another aspect of human-rights machinery was the phenomenon of voluntary funds, which had proliferated in recent years. While those funds were important, it might be more consistent if the activities in question were undertaken within the regular budget. The Commission should make its views known, with respect to advisory services, for example, to ensure an effective allocation of funds. In the process of country programme planning, the recipient countries and UNDP should pay attention to human resource development in the field of human rights. At least a small proportion of the Indicative Planning Figures might be reserved for such purposes, and the Commission might urge the UNDP governing Council to take up the issue as a matter of priority.

71. Under the corresponding agenda item in 1987, a resolution had been adopted on co-operation in the field of human rights. While co-operation was an attractive concept that was difficult to oppose, the United Nations had to speak up for the oppressed and unfortunately, that sometimes necessitated a hard-hitting approach.

72. Mr. INGLES (Philippines) said that the new Government of his country was full committed to the promotion and encouragement of human rights. Immediately on taking office, President Aquino had released hundreds of political prisoners, restored habeas corpus and established the Presidential Committee on Human Rights. The new Constitution had, subsequently, transformed the Presidential Committee into a Commission on Human Rights and had established an independent judiciary. The new Government had also ratified the International Covenant on Civil and Political Rights, which the previous Government had signed but had refused to ratify, and had acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

73. However, the task of putting that commitment into practice was unfortunately rendered difficult by the fact that, after 25 years of repressive rule, it was necessary to refine the people's understanding of their basic rights. Moreover, apart from a free press reflecting all shades of political opinion there was no organized public institution working to assist the Filipinos to acquire a balanced understanding of their human rights.

74. His Government was attacking that problem through education, both in the schools, and at all levels of society, particularly as an integral element in the training of all police and military personnel. It was with the greatest interest and attention, therefore, that his delegation had read the report of the Secretary-General on the development of public information activities in the field of human rights. He was particularly happy to note the dissemination of a series of human-rights publications by the Centre for Human Rights in connection with the Fortieth Anniversary of the Universal Declaration.

75. In that regard, his delegation owed a debt of gratitude to the Centre for organizing in November 1986, in co-operation with the United Nations Development Programme, a seminar at Manila to assist junior officials engaged in the preparation of human rights legislation in Asia. In October 1987, the Centre had also organized a training course at Bangkok for human-rights teachers in the Asian and Pacific region.
76. In accordance with the conclusions of the Bangkok training course, his country was undertaking a school programme modelled after the Sri Lankan and Australian experience in the teaching of human rights. Similarly, the recommendation adopted by the UNESCO Seminar on the Teaching of Human Rights, Information and Dissemination, emphasizing the need to advance human-rights education especially in the non-formal system, was particularly relevant when seen in the context of Philippine society.

77. Ms. PEARCE (Observer for Australia) said that two elements that had emerged in recent years under the alternative approaches debate were the development of practical arrangements to protect and promote human rights, and the question of reform of the United Nations. Regarding the former, it had been a major policy priority of Australia's international human-rights activities to encourage and develop promotional and information programmes.

78. There might be distinctive national and regional approaches to international human-rights instruments but there was common agreement that increased information and education about human rights would encourage understanding of the applicability and relevance of such standards. At its current session, the Commission would again have before it a draft resolution seeking to promote the development of a series of practical initiatives relating to public information.

79. Another priority for her delegation was the encouragement of national institution building. In that connection, Australia's Human Rights and Equal Opportunity Commission was a model of an effective national institution. It was completely independent and had been given very wide powers by Act of Parliament. Those powers included ensuring compliance by the national authorities with basic international human-rights instruments, co-ordinating all research and educational and promotional programmes on human rights, conducting national inquiries into any violations of human rights, ensuring the effective implementation of sex and race discrimination legislation, and monitoring all national legislation to advise the Government on compliance with existing human-rights instruments.

80. The third specific focus of the promotional aspect of the agenda item was the resolution on regional arrangements, particularly in the Asia-Pacific region. In that regard, the reference in the Special Commission's mandate to the need for more emphasis on regional and subregional co-ordination in considering ways and means of rationalizing the United Nations system was noteworthy.

81. In connection with the reform exercise upon which the Member States had embarked, the Commission had to prepare an effective submission to the Special Commission. Her delegation therefore appreciated the paper prepared by the Secretariat, whose general thrust it supported. However, it associated itself with the suggestions of several representatives for a strengthening of the paper, including a reference to the need to protect the human rights programme from any further disproportionate cuts in resources.

82. She reiterated her Government's long-standing priority to strengthening public information and technical assistance activities and also associated her delegation with the proposal to strengthen the monitoring mechanisms of the human-rights programme. On standard-setting, she was pleased to see that the
Working Group drafting a convention on the rights of the child had agreed to request the Secretariat to undertake a technical review of the text between its first and second readings. That was a significant example of self-reform efforts and constituted a useful precedent.

83. The Special Commission's mandate emphasized the need for more co-ordination within the United Nations programme. There was scope for more co-ordination between the various divisions of the Centre for Human Rights, between the various United Nations offices, and between the various organizations of the United Nations system. It was also important to co-ordinate and improve reporting systems. In that connection, General Assembly resolution 42/105 sought to identify the important issues that the forthcoming meeting of the chairmen of the treaty bodies would consider. That meeting offered a genuine opportunity for reform for Governments increasingly under pressure to fulfil their international treaty reporting obligations effectively.

84. Mr. HYNES (Observer for Canada), having noted that Commission decision 1987/10 underlined the need for setting priorities with a view to ensuring the appropriate input from the Commission to the review of the intergovernmental structure of the economic and social spheres of the United Nations, said that his Government regarded the Commission and the United Nations human-rights programme as among the most important components of the United Nations structure. The deliberations in connection with the Economic and Social Council review provided an occasion to take stock of the extent to which current procedures and support systems did justice to the priority assigned to human rights in the United Nations Charter.

85. In connection with the paper prepared by the secretariat - which provided an excellent basis for work in that regard, he would like to mention a few of his delegation's essential considerations. Firstly, the overriding objective of the United Nations in the area of human rights was the effective implementation of established standards. That principle should feature prominently in the Commission's report to the Economic and Social Council, and his delegation had joined with others to make proposals in the Working Group to that end.

86. One challenge that demanded increasing attention was the effectiveness of the machinery established to implement the human-rights instruments. In view of the financial problems affecting several of the treaty bodies, ideas such as those put forward by the Four Directions Council (E/CN.4/1988/NGO/36) merited serious attention.

87. Secondly, as a number of speakers had noted, rationalization of the agendas and procedures of the intergovernmental bodies was an important objective. As the draft report of the secretariat suggested, there should be increased resort to the clustering of agenda items for discussion by the Commission, a technique that had been used successfully in the Third Committee. The secretariat might, perhaps, be authorized to develop proposals along those lines for the beginning of the Commission's next session.
88. Thirdly, human-rights activities in the United Nations, which corresponded to one of the central objectives of the Charter, had been badly underfunded for a long time and disproportionately penalized in the austerity measures adopted in 1986. The Secretary-General had acknowledged that problem in 1987 and given assurances regarding the future financial integrity of the human-rights programme. Nevertheless, the point should not be understated in the Commission's report to the Economic and Social Council.

89. In connection with the Under-Secretary-General's plans in the area of public information, he noted that any successful efforts in that field would have to take place in close co-operation with both the Department of Public Information and the non-governmental organizations, which had the experience, resources and extensive grass-roots contacts. It should also be borne in mind that informational efforts would ultimately be judged by their impact on those who had the greatest need for human-rights assistance. They were essentially a supporting component in a human-rights programme focused on the effective implementation of universally recognized standards.

90. Mr. Lebakine (Observer for the Ukrainian Soviet Socialist Republic) said that, while there was perhaps no country that could claim to have been completely successful in providing for the enjoyment of the entire range of human rights, many had certainly gained considerable experience in that regard and the exchange of such positive experience was clearly an important factor in developing constructive international co-operation in human rights and in the humanitarian field as a whole. It was all the more distressing, therefore, that human-rights issues were frequently used as a means of discrediting particular socio-economic systems and that so many half truths, outright lies or, indeed blatant disregard for the real facts continued to obstruct co-operation in a field where a sober-minded and objective approach was needed if positive results were to be achieved.

91. The exercise of human rights was, moreover, inextricably linked with the observance of other fundamental rights and principles, including respect for the sovereignty and equality of States and non-interference in their internal affairs, as well as with the customs and traditions of peoples and the level of their economic and social development. Genuine efforts aimed at co-operation in the humanitarian field were incompatible with policies of confrontation and rivalry, slander campaigns or other manifestations of hostility and animosity towards other peoples.

92. As the representative of Ireland had rightly observed, the establishment of peaceful and friendly relations and the promotion of harmony between and among States could not in itself guarantee the enjoyment of human rights. However, it was equally undeniable that an improvement in the situation prevailing in the contemporary world and the development of neighbourly relations would provide considerable impetus to efforts aimed at the promotion and protection of human rights.

93. His Government had consistently advocated the strengthening of international co-operation in human rights and had emphasized the need to combat any attempts to place such co-operation at the service of purely political interests. The very concept of co-operation in the humanitarian field, moreover, required further careful study with a view to identifying clearly the standards and principles by which such co-operation was to be
pursued. The consultations taking place between Governments in accordance with General Assembly resolution 41/155 should be continued, particularly as many States had still not communicated their views on the subject. In that process, emphasis should be focused on the organizational and legal aspects of international co-operation.

94. In conclusion, the work of United Nations bodies in the field of human rights would be all the more effective if the representatives of all Member States had a clear mandate to contribute in every way to the strengthening of international co-operation. Failing that, the significance and usefulness of the Organization would be considerably diminished. Regrettably, however, the absence of such a mandate was by no means rare, even among those participating in the work of the Commission on Human Rights.

The meeting rose at 9.00 p.m.