

Human Rights

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Human Rights



HUMAN RIGHTS MACHINERY



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40th Anniversary
of the Universal Declaration
of Human Rights
1948-1988

The *Human Rights Fact Sheets* series is published by the Centre for Human Rights, United Nations Office at Geneva. It deals with selected questions of human rights that are under active consideration or are of particular interest.

Human Rights Fact Sheets are intended to assist an ever-wider audience in better understanding basic human rights, what the United Nations is doing to promote and protect them and the international machinery available to help realize those rights. *Human Rights Fact Sheets* are free of charge and distributed world-wide. Their reproduction in languages other than the official United Nations languages is encouraged provided that no changes are made in the contents and the Centre for Human Rights in Geneva is advised by the reproducing organization and given credit as being the source of the material.



International concern for human rights

The concern of the United Nations with the promotion and protection of human rights and fundamental freedoms stems directly from the realization by the international community that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world" and from the resultant pledge of States Members of the United Nations "to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms".

Thus, the inclusion among the purposes of the Charter of the United Nations of the achievement of international co-operation "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion" is a clear expression of the profound commitment of the founding fathers, after the horrors of the Second World War, to human rights. Indeed, the experience of that war had resulted in the widespread conviction that effective international protection of human rights is one of the essential conditions of international peace and progress.



The Charter of the United Nations

The Charter of the United Nations makes reference to human rights and fundamental freedoms in a number of clauses. In the Preamble, the peoples of the United Nations express their determination "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small". The words "promoting and encouraging respect for human rights and fundamental free-

doms” appear, with slight variations, in Article 1, on the purposes and principles of the United Nations; in Article 13, on the functions and powers of the General Assembly; in Article 62, on the functions and powers of the Economic and Social Council; and in Article 76, on the basic objectives of the International Trusteeship System. Article 8 provides that “The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs”. In Article 56, all Members of the United Nations pledge to take joint and separate action in co-operation with the Organization for the achievement of purposes enumerated in Article 55, including the promotion of “universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”. In Article 68, the Economic and Social Council is empowered to set up commissions “in economic and social fields and for the promotion of human rights”.

General Assembly and subsidiary bodies

The General Assembly is the main representative body of the United Nations. It is made up of all Member States each of which has one vote. Its regular session begins each year on the third Tuesday of September and continues usually until mid-December.

Under Article 13 of the United Nations Charter, one of the functions of the General Assembly is to initiate studies and make recommendations for the purpose of “promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion”.

For the most part, human rights items on the agenda of the General Assembly originate in sections of the report of the Economic and Social Council which relate to human rights, or in decisions taken by the Assembly at earlier sessions to consider particular matters. Items relating to human rights have also been proposed for inclusion in the Assembly’s agenda by the other principal organs of

the United Nations, by Member States, and by the Secretary-General.

Since the adoption of the Universal Declaration of Human Rights in 1948 the Assembly has adopted numerous declarations or conventions concentrating on human rights. They deal *inter alia* with genocide, racial discrimination, *apartheid*, refugees, stateless persons, the rights of women, slavery, marriage, children, youth, aliens, asylum, disabled and mentally retarded persons, torture, development and social progress.

Most items relating to human rights are referred by the General Assembly to its Third Committee, which deals with social, humanitarian and cultural matters. Some, however, are considered by the Assembly without reference to a Main Committee. Items which have a bearing on political, international security and disarmament issues are normally referred to the First Committee or to the Special Political Committee. Those of an essentially economic character are referred to the Second Committee, those relating to decolonization to the Fourth Committee, and those of a legal nature to the Sixth Committee. The Fifth Committee deals with administrative and budgetary questions, including those arising from the consideration of human rights items.

Subsidiary bodies of the General Assembly concerned with human rights and fundamental freedoms include: the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, known as the Special Committee on Decolonization; the United Nations Council for Namibia; the Special Committee against *Apartheid*; the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories; and the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Economic and Social Council and subsidiary bodies

Under Article 62 of the United Nations Charter, the Economic and Social Council may “make recommendations for the purpose of promoting respect for, and observance of, human rights and

fundamental freedoms for all". It may also prepare draft conventions for submission to the General Assembly and call international conferences on human rights matters. Under Article 68, the Council "shall set up commissions in economic and social fields and for the protection of human rights".

Article 64 empowers the Council to "make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly", and to communicate its observations on these reports to the Assembly.

The Council, which is composed of 54 members, normally holds an organizational session and two regular sessions each year. In addition, it occasionally holds special sessions. Human rights items are usually referred to the first (spring) session of the Council's Second (Social) Committee, a "sessional" committee on which the 54 members of the Council are represented, although some items are dealt with in plenary meetings without reference to a committee. The reports of the Social Committee, which contain draft resolutions and draft decisions, are submitted to the Council for consideration and final action in plenary meetings.

To assist it in dealing with items relating to human rights, the Council has established the Commission on Human Rights and the Commission on the Status of Women. The Commission on Human Rights, in turn, has established the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

From time to time the Council has set up *ad hoc* committees composed of representatives of Member States, experts nominated by their Governments, or outstanding personalities serving in their personal capacity. The Council has also, on occasion, appointed or authorized the Secretary-General to appoint special rapporteurs or committees of experts to prepare reports on technical subjects.

Commission on Human Rights

This Commission was set up by the Economic and Social Council in 1946, and has met annually since that time. It is the main body dealing with human rights issues, as it may deal with any matter relating to human rights.

The Commission makes studies, prepares recommendations and drafts international instruments relating to human rights. It also undertakes special tasks assigned to it by the General Assembly or the Economic and Social Council, including the investigation of allegations concerning violations of human rights and the handling of communications relating to such violations. It co-operates closely with all other United Nations bodies having competence in the field of human rights. In addition, it assists the Economic and Social Council in the co-ordination of activities concerning human rights in the United Nations system.

The Commission, originally made up of 18 members seized particularly with the task of drafting the International Bill of Human Rights, is now composed of the representatives of 43 Member States elected for three-year terms. It meets each year for a period of six weeks, and it operates under the Rules of Procedure of Functional Commissions of the Economic and Social Council. Only members of the Commission, or their alternates, have the right to vote. The Commission may, however, invite any State to participate in its deliberations on any matter of particular concern to that State, and may invite any national liberation movement recognized by, or in accordance with, resolutions of the General Assembly to participate in its deliberations on any matter of particular concern to that movement. Specialized agencies and certain other intergovernmental organizations may participate in the Commission's deliberations on questions of concern to them, and non-governmental organizations in consultative status with the Economic and Social Council may designate authorized representatives to sit as observers at public meetings of the Commission.

To assist in its work, the Commission has established a number of subsidiary bodies, including the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In recent years, the Commission on Human Rights has set up organs to investigate human rights problems in specific countries and territories as well as on thematic situations. At present, the following Groups exist: the *Ad Hoc* Working Group of Experts on southern Africa; the Group of Three established under article IX of the International Convention on the Suppression and Punishment of the Crime of *Apartheid*; the Working Group to Examine Situations which Appear to Reveal a Consistent Pattern of Gross Violations of Human Rights; the Working Group on Enforced or Involuntary Disappearances; the Working Group of Governmental Experts on

the Right to Development; and the Working Group to Continue the Overall Analysis on the Further Promotion and Encouragement of Human Rights and Fundamental Freedoms. In addition, the Commission has been actively employing a variety of methods for dealing with violations of human rights. These include fact-finding by experts consisting of special rapporteurs, representatives or other designees appointed by the Commission to study the situation of human rights either in specific countries such as Afghanistan, Chile, El Salvador, Guatemala, the Islamic Republic of Iran, or on thematic situations such as Summary or Arbitrary Executions, Religious Intolerance, Massive Exoduses and Mercenaries. The Commission has also established informal open-ended working groups to assist in the drafting of international declarations and conventions, namely a draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, a draft convention on the rights of the child, and a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

Sub-Commission on Prevention of Discrimination and Protection of Minorities

At its first session, in 1947, the Commission on Human Rights established the Sub-Commission on Prevention of Discrimination and Protection of Minorities “(a) to undertake studies, particularly in the light of the Universal Declaration of Human Rights, and to make recommendations to the Commission concerning the prevention of discrimination of any kind relating to human rights and fundamental freedoms and the protection of racial, religious and linguistic minorities; and (b) to perform any other functions entrusted to it by the Economic and Social Council or by the Commission”.

The Sub-Commission is composed of 26 experts elected by the Commission on Human Rights to serve, as of 1988, for four-year periods. Although nominated by Governments, these experts act in their personal capacity and not as the representatives of States.

The Sub-Commission meets each year for a period of four weeks. Like the Commission on Human Rights it operates under the

Rules of Procedure of Functional Commissions of the Economic and Social Council. It is attended by its members or their alternates, by observers from Governments, United Nations bodies, specialized agencies, intergovernmental organizations, non-governmental organizations in consultative status with the Economic and Social Council, and national liberation movements concerned with questions on its agenda.

The Sub-Commission has established three working groups which meet regularly before each of its annual sessions to assist it with certain tasks: the Working Group on Communications, which examines communications containing allegations of violations of human rights and brings to the attention of the Sub-Commission those which appear to reveal a consistent pattern of gross and reliably attested violations of human rights; the Working Group on Slavery, which reviews developments in the field of slavery, slave trade practices similar to slavery, exploitation of child labour and exploitation of prostitutes; and the Working Group on Indigenous Populations, which reviews developments relating to the protection of the human rights of such populations.

In addition, the Sub-Commission may establish sessional working groups, which meet during its annual sessions to consider particular agenda items. Examples of these are the Working Group on the Encouragement of Universal Acceptance of Human Rights Instruments, the Working Group on the Rights of Persons Detained or Imprisoned, and the Working Group on the Question of Persons Detained on the Ground of Mental Ill-health.

Each of the working groups submits its reports to the Sub-Commission for consideration. On some questions, including those relating to the discharge of its functions, the Sub-Commission adopts its own resolutions and decisions. On others, it formulates draft resolutions and decisions for consideration by the Commission on Human Rights and the Economic and Social Council. The Sub-Commission submits a report on the work of each session to the Commission.

Commission on the Status of Women

This Commission was established by the Economic and Social Council in 1946. Its functions are (a) to prepare recommendations and reports to the Council on promoting women's rights in

political, economic, civil, social and educational fields, and (b) to make recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights, with the object of implementing the principle that men and women shall have equal rights, and to develop proposals to give effect to such recommendations.

The Commission is composed of the representatives of 32 United Nations Member States, elected by the Council for four-year terms. Normally, it meets biennially for a session of three weeks either in New York or Geneva.

The Commission operates under the Rules of Procedure of Functional Commissions of the Economic and Social Council, and its arrangements for attendance and participation in its work are the same as those for the Commission on Human Rights. Its recent sessions have been attended by members and alternates, by observers from Member and non-member States of the United Nations, by representatives of various United Nations bodies and specialized agencies, by representatives of liberation movements, and by observers from non-governmental organizations. The Inter-American Commission of Women and the Commission on the Status of Arab Women submit reports to each session of the Commission.

The Commission adopts its own resolutions and decisions and prepares draft resolutions and decisions for consideration by the Economic and Social Council.

Bodies established in accordance with United Nations Human Rights instruments

Committee on the Elimination of Racial Discrimination

This Committee, established in 1970 in accordance with article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination, consists of 18 experts of high moral standing and acknowledged impartiality, elected by States parties to

the Convention from among their nationals. Members are elected for a four-year term by secret ballot at a meeting of the States parties, and serve in their personal capacity.

The tasks of the Committee, as set out in part II of the Convention, are: to consider reports on the legislative, judicial, administrative or other measures States parties have adopted which give effect to the provisions of the Convention; to make suggestions and general recommendations based on the examination of those reports and other information; to assist in settling disputes among States parties concerning the application of the Convention; and to receive and consider communications from individuals or groups of individuals within the jurisdiction of States parties which have recognized the competence of the Committee to this effect. When necessary, it may establish an *ad hoc* conciliation commission to make available its good offices to States parties in a dispute concerning the application of the Convention, with a view to an amicable settlement on the basis of respect for the Convention. Such a commission would report to the Committee on all questions of fact relevant to the issue between the parties, and make recommendations for the amicable settlement of the dispute.

In accordance with article 15 of the Convention, the Committee also considers copies of petitions, copies of reports, and other information on racial discrimination relating to Trust and Non-Self-Governing Territories and to all other Territories to which General Assembly resolution 1514 (XV) applies, transmitted to it by the Trusteeship Council and by the Special Committee on Decolonization.

The Committee met for the first time on 19 January 1970. Since that time, it has normally held two sessions each year (spring and summer), and has reported to the General Assembly annually.

At each session, the Committee examines the information placed at its disposal by States parties to the Convention and by the United Nations bodies concerned with dependent Territories. Representatives of States parties are usually present at the meetings of the Committee when their reports are examined, and may answer questions or submit additional information.

The Committee may also comment on situations involving racial discrimination, or draw them to the attention of the General Assembly. It indicates matters on which it would like to receive

detailed information from States parties. At the Assembly's request, the Committee has also devoted particular attention in recent years to the situation of peoples struggling against the oppression of the colonialist and racist régimes in southern Africa.

By the end of 1987, there were 124 States parties to the International Convention on the Elimination of All Forms of Racial Discrimination, 12 of which had recognized the competence of the Committee to receive and consider communications from individuals or groups of individuals.

Human Rights Committee

This Committee, established in 1977 in accordance with article 28 of the International Covenant on Civil and Political Rights, consists of 18 members of high moral character and recognized competence in the field of human rights, elected by States parties to the Covenant from among their nationals. Members are elected for a four-year term by secret ballot at a meeting of the States parties, and serve in their personal capacity.

The tasks of the Committee, as set out in articles 40 to 45 of the Covenant, are: to study reports on the measures States parties have adopted to give effect to the rights recognized in the Covenant, and on the progress made in the enjoyment of those rights; to transmit its reports, and such general comments as it may consider appropriate, to the States parties; to perform certain functions with a view to settling disputes among States parties concerning the application of the Covenant, provided that those parties have recognized the competence of the Committee to that effect; and when necessary to establish an *ad hoc* conciliation commission to make available its good offices to States parties involved in a dispute concerning the application of the Covenant, with a view to a friendly solution of the matter on the basis of respect for the Covenant. Such a commission must submit a report to the Committee Chairman, not later than 12 months after having been seized of the matter, for communication to the States parties concerned.

Under article 41 of the Covenant, a State party may at any time declare that it recognizes the competence of the Committee to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under

the Covenant. Communications received under this article are dealt with in accordance with a special procedure.

Under the Optional Protocol to the International Covenant on Civil and Political Rights, individuals who claim that any of their rights enumerated in the Covenant have been violated and who have exhausted all available domestic remedies may submit written communications to the Human Rights Committee for consideration. No communication can be received by the Committee if it concerns a State party to the Covenant which is not also a party to the Optional Protocol. The Committee considers communications in the light of all written information made available to it by the individual and by the State party concerned, and forwards its views to the State party concerned and to the individual.

As in the case of the Committee on the Elimination of Racial Discrimination, representatives of States parties to the International Covenant on Civil and Political Rights are present at the meetings of the Human Rights Committee when their reports are examined. The Committee may also inform a State party from which it decides to seek further information that it may authorize its representative to be present at a specified meeting. The representative should be able to answer questions put to him by the Committee and may make statements on reports already submitted by his State; he may also submit additional information from his State.

The Committee normally holds three sessions each year, and reports annually to the General Assembly, through the Economic and Social Council.

At each session, the Committee examines reports from States parties to the Covenant on the measures taken by them to give effect to the rights recognized in the Covenant, on the progress made in the enjoyment of those rights and on any factors and difficulties affecting the implementation of the Covenant. It considers the reports in public meetings in the presence of representatives of the reporting States.

The Committee also considers communications received under the Optional Protocol, with the assistance of a working group established at every session on communications, consisting of not more than five of its members. All documents pertaining to the Committee's work under the Protocol are confidential, and they are examined in closed meetings. The texts of final decisions of the

Committee, however, are made public. The Committee includes a summary of its activities under the Protocol in its annual report.

The Committee also regularly establishes a Working Group to assist it in the drafting of lists of issues in connection with the consideration of periodic States' reports and in the preparation of general comments. This Working Group is made up of not more than five members of the Committee.

By the end of 1987, there were 87 States parties to the International Covenant on Civil and Political Rights, 39 of which had also ratified or acceded to the Optional Protocol, and 21 States had made the declaration under article 41 of the Covenant recognizing the competence of the Human Rights Committee to consider communications relating to inter-State disputes.

Committee on Economic, Social and Cultural Rights

This Committee, established in 1985 by the Economic and Social Council, is composed of 18 experts with recognized competence in the field of human rights serving in their personal capacity. Its members are elected for a term of four years by the Council by secret ballot from a list of persons nominated by States parties to the International Covenant on Economic, Social and Cultural Rights.

The Committee carries out functions relating to the implementation of the Covenant. It examines reports submitted to it by States parties on the measures which they have adopted and the progress made in achieving the observance of the rights recognized in the Covenant, and assists the Economic and Social Council to fulfil its supervisory functions relating to the Covenant by making suggestions and recommendations of a general nature based on its consideration of reports submitted by States parties and the specialized agencies concerned.

As in the case of the Human Rights Committee, representatives of States Parties to the International Covenant on Economic, Social and Cultural Rights may be present at the meetings of the Committee on Economic, Social and Cultural Rights when their reports are examined, may make statements on reports submitted by

their States and reply to questions put to them by the members of the Committee.

The Committee holds one session a year at the United Nations Office at Geneva.

By the end of 1987, there were 91 States parties to the International Covenant on Economic, Social and Cultural Rights.

Committee on the Elimination of Discrimination against Women

This Committee, established in 1982 in accordance with article 17 of the Convention on the Elimination of All Forms of Discrimination against Women, consists of 23 experts of high moral standing and competence in the field covered by the Convention. Members are elected by secret ballot from a list of persons nominated by States parties, and serve for a term of four years. The Committee on the Elimination of Discrimination against Women meets once a year for a two-week period in Vienna (or New York).

The basic task of the Committee, as set out in article 17 of the Convention, is to consider the progress made in the implementation of the Convention. The Committee reports on its activities annually to the General Assembly through the Economic and Social Council. It may make suggestions and general recommendations based on its examination of reports and information received from States parties. By the end of 1987, 94 States had ratified or acceded to the Convention on the Elimination of Discrimination against Women.

Committee against Torture

This Committee, established in 1987 in accordance with article 17 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, consists of 10 experts of high moral standing and recognized competence in the field of human rights, elected by States parties to the Convention from among their nationals. Members are elected for a four-year

term by secret ballot at a meeting of States parties, and serve in their personal capacity.

The tasks of the Committee, as set out in articles 19 to 24 of the Convention, are: to study reports on the measures taken by States parties to give effect to their undertakings under the Convention; to make confidential inquiries, if it decides that this is warranted, concerning well-founded indications that torture is being systematically practised in the territory of a State party; to perform certain functions with a view to settling disputes among States parties concerning the application of the Convention, provided that those States parties have recognized the competence of the Committee against Torture to undertake such functions; to establish when necessary *ad hoc* conciliation commissions to make available its good offices to the States parties concerned with a view to a friendly solution of inter-State disputes; to consider communications from or on behalf of individuals subject to the jurisdiction of States parties concerned who claim to be victims of a violation of the provisions of the Convention, provided that those States parties have recognized the competence of the Committee to that effect; and to submit annual reports on its activities to the States parties and to the General Assembly of the United Nations.

The Committee is scheduled to hold its first session at the United Nations Office at Geneva in April 1988 and to decide on the modalities and the organization of its future work by adopting its rules of procedure.

By the end of 1987, there were 27 States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 of which had accepted the competence of the Committee against Torture under articles 21 and 22 of the Convention to consider matters relating to inter-State disputes and communications from or on behalf of individuals. Seven of the States parties have declared that they do not recognize the competence of the Committee under article 20 of the Convention to undertake confidential inquiries or fact-finding missions on their territories.

Group of Three Established under the International Convention on the Suppression and Punishment of the Crime of *Apartheid*

This group appointed annually by the Chairman of the Commission on Human Rights consists of three members of the Commission who are also representatives of States parties to the International Convention on the Suppression and Punishment of the Crime of *Apartheid*. It meets annually for a period of not more than five days before the session of the Commission on Human Rights to consider periodic reports submitted by States parties on the legislative, judicial, administrative, or other measures that they have adopted to give effect to the provisions of the Convention. The Group reports to the Commission on Human Rights on its activities and makes appropriate recommendations on the implementation of the Convention.

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A number of United Nations bodies are concerned with human rights from time to time and in varying degrees. These include the Security Council, the Trusteeship Council, the International Law Commission, and the International Court of Justice.

United Nations Secretariat

Centre for Human Rights

The Centre for Human Rights, located at the United Nations Office at Geneva, is the Secretariat Unit of the United Nations mostly concerned with human rights questions. The Centre, headed by the Under-Secretary-General for Human Rights who is also Director-General of the United Nations Office at Geneva, is made up of the office of the Under-Secretary-General and six main sections. The Centre maintains an office in New York at United Nations Headquarters.

Overview

The Centre for Human Rights assists the General Assembly, the Economic and Social Council, the Commission on Human Rights and other organs of the United Nations in the promotion and protection of human rights and fundamental freedoms as envisaged in the Charter of the United Nations, the Universal Declaration of Human Rights, international conventions on human rights concluded under the auspices of the United Nations and various resolutions of the General Assembly. An organizational unit for providing such assistance has existed in the Secretariat since its inception. Formerly, it was known as the "Division of Human Rights". The Centre forms a part of the United Nations Office at Geneva. Its broad functions are as follows:

Serves as the focal point of the United Nations in the field of human rights; provides secretariat and substantive services to United Nations organs concerned with human rights, including the General Assembly and its Third Committee, the Economic and Social Council and its Social Committee, the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and their subsidiary bodies, the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights and the Committee against Torture. Carries out research and studies on human rights at the request of the organs concerned; follows up and prepares reports on the implementation of human rights;

Administers the programme of advisory services and technical assistance on human rights; and co-ordinates liaison with non-governmental organizations, external institutions and the media on human rights. Collects and disseminates information, and prepares publications.

Under-Secretary-General for Human Rights

Co-ordinates the human rights programme with related activities within the Secretariat and the United Nations system; represents the Secretary-General at meetings of human rights organs and at other human rights events; promotes the ratification and application of international conventions on human rights; assists in

the exercise of the humanitarian good offices of the Secretary-General; assures substantive servicing of the Commission on Human Rights, and other human rights bodies.

Office of the Under-Secretary-General

A. *Administrative Support Unit*

Maintains liaison with organizational units providing the administrative, financial and personnel support services to the Centre; assists the Under-Secretary-General in the administration and monitoring of the utilization of the resources of the Centre; initiates and assists in the preparation of draft medium-term plans, programme budgets, and performance reports of the Centre; provides administrative support for the field missions organized by the Centre.

B. *New York Office*

Provides such information and assistance to the office of the Secretary-General as may be required. Assists in servicing sessions of human rights organs at Headquarters; assists in co-ordinating the activities of the Centre with those of other Secretariat units at Headquarters; exercises appropriate liaison functions with permanent missions of Member States, observer missions and non-governmental organizations at Headquarters; and informs the Centre of substantive developments at Headquarters related to human rights.

C. *Secretariat of the Working Group on Enforced or Involuntary Disappearances*

Provides secretariat services to the Working Group on Enforced or Involuntary Disappearances; deals with urgent communications addressed to the Working Group and assists the Working Group in operating its procedure of urgent action in cases of reported disappearances. Prepares and advises on good offices and humanitarian interventions.

1. *International Instruments Section*

Carries out functions and responsibilities relating to the implementation of international human rights treaties, such as the

International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention on the Suppression and Punishment of the Crime of *Apartheid*; and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Provides technical and substantive servicing for the human rights supervisory organs functioning under the above-mentioned international instruments; provides technical and substantive servicing for the meetings of States parties to the above-mentioned international instruments.

2. *Communications Section*

Processes communications concerning allegations of violations of human rights under existing confidential procedures, such as the procedure governed under Economic and Social Council resolutions 728 F (XXVIII) and 1503 (XLVIII); the Optional Protocol to the International Covenant on Civil and Political Rights; article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination; and article 22 of the Convention against Torture.

Serves the various human rights organs concerned with the implementation of the above-mentioned procedures, including the Commission on Human Rights and its Working Group on Situations, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group on Communications; the Human Rights Committee and its Working Group on Communications; the Committee on the Elimination of Racial Discrimination; and the Committee against Torture.

Provides secretariat services for specific direct contact missions authorized by the Commission on Human Rights.

3. *Special Procedures Section*

Provides substantive services to *ad hoc* or extra-conventional activities decided upon by the General Assembly, the Economic and Social Council and the Commission on Human Rights consisting of special or *ad hoc* working groups and/or special rapporteurs, representatives or other nominees mandated in regard to situations of human rights in particular countries or in regard to

specific questions. Receives information from individuals, groups, organizations and Governments and assists in the preparation of reports in the light of which the Commission assesses such situations and decides on any follow-up to be given thereto. This involves ongoing contacts and consultations with interested parties including urgent action whenever required and the organization of on-site visits by such groups or nominees.

Provides servicing of the Commission on Human Rights, organization of the session, as well as related working groups.

4. *Research, Studies and Prevention of Discrimination Section*

Prepares studies and reports on the promotion and protection of human rights requested by human rights organs; assists in the drafting of international instruments on human rights being discussed by human rights organs; services the Sub-Commission on Prevention of Discrimination and Protection of Minorities and pre-session Working Groups on Slavery-Like Practices and on Indigenous Populations established by it to deal with those questions. Prepares studies and reports on the Prevention of Discrimination and the Protection of Minorities; carries out work on slavery and studies on discrimination, minorities, indigenous populations, rights of detainees, human rights in states of emergencies and economic, social and cultural rights; implements the programme for the Second Decade of Action to Combat Racism and Racial Discrimination; carries out research, analyses reports from Governments and prepares studies relevant to the Decade and maintains coordination with Governments, intergovernmental organizations, the specialized agencies, non-governmental organizations and others concerned.

5. *Advisory Services Section*

Administers the programme of advisory services and technical assistance in the field of human rights; prepares international seminars and training courses in all regions of the world on major human rights questions; supervises the yearly programme of fellowships in the field of human rights for governmental offices dealing with specific issues of human rights; supervises the yearly programme of internship for graduate students; responsible for the programme of promoting regional institutions for the promotion

and protection of human rights; maintains reference library of the Centre for Human Rights.

6. *External Relations, Publications and Documentation Section*

Responsible for ensuring the effective functioning of the external relations aspects of United Nations human rights programmes and policies; liaises with non-governmental organizations, academic and research institutions, press and national institutions and manages public affairs and public relations; arranges for the publication of the *Yearbook on Human Rights* and other publications in the field of human rights; supervises, follows up and co-ordinates the handling of documentation for the Centre and responds to general inquiries concerning the activity of the United Nations in the field of human rights; deals with public inquiries and the informational activities of the Centre for Human Rights concerning the United Nations human rights programme.

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The United Nations High Commissioner for Refugees and four specialized agencies of the United Nations system of organizations—the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the Food and Agriculture Organization of the United Nations (within their specific fields of competence)—have also a special interest in human rights matters.

United Nations High Commissioner for Refugees

The Office of the United Nations High Commissioner for Refugees (UNHCR), established by the General Assembly as of 1 January 1951, is entrusted with providing international protection, under United Nations auspices, to refugees falling within its competence by: (a) promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application, and proposing amendments thereto; (b) promoting,

through special agreements with Governments, the execution of measures to improve the situation of refugees and to reduce the number requiring protection; (c) assisting governmental and private efforts to promote voluntary repatriation or assimilation within new national communities; (d) promoting the admission of refugees to the territories of States; (e) endeavouring to obtain permission for refugees to transfer their assets, especially those necessary for their resettlement; (f) obtaining from Governments information concerning the number and conditions of refugees in their territories and the laws and regulations concerning them; (g) keeping in close touch with the Governments and intergovernmental organizations concerned; (h) establishing contact with private organizations dealing with refugee questions; and (i) facilitating the co-ordination of efforts of private organizations concerned with the welfare of refugees. In addition, UNHCR may engage in repatriation and resettlement activities at the request of the General Assembly, and performs certain functions to assist stateless persons under the Convention on the Reduction of Statelessness.

International Labour Organisation

The Constitution of the International Labour Organisation (ILO) recognizes that labour is not a commodity and affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, economic security and equal opportunity.

Since its establishment in 1919 as an autonomous institution associated with the League of Nations, ILO's main concern has been the formulation of international labour standards and their effective implementation. The International Labour Conference, which meets annually, has gradually built up a body of international labour conventions and recommendations, many of which deal with such human rights problems as the prohibition of forced labour, the protection of freedom of association, including trade union rights, the elimination of discrimination in employment and occupation, the application of the principle of equal remuneration for men and women workers for work of equal value, and the promotion of full employment, fair and safe conditions of employment, and social security.

United Nations Educational, Scientific and Cultural Organization

The purpose of the United Nations Educational, Scientific and Cultural Organization (UNESCO) is, as laid down in its Constitution, "to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations".

In addition to carrying out a programme involving many forms of direct action designed to deal with the complex problems encountered in the development of education, science and culture, UNESCO has prepared several conventions and recommendations relating to human rights.

Food and Agriculture Organization

A basic purpose of the Food and Agriculture Organization of the United Nations (FAO) is "... contributing towards an expanding world economy and ensuring humanity's freedom from hunger".

The agency is mainly concerned with raising levels of nutrition and standards of living, securing improvements in the efficiency of the production and distribution of food and agricultural products, bettering the condition of rural populations, and thus contributing towards an expanding world economy. Its activities are designed to help solve one of the fundamental problems of mankind, namely the overall provision of the world's food supply. The Freedom from Hunger Campaign, launched by FAO in 1960, spread public knowledge of development problems in the agency's fields of concern and mobilized public opinion for increased development efforts.

World Health Organization

The preamble to the Constitution of the World Health Organization (WHO) declares that the enjoyment of the highest attainable standard of health is a fundamental right of every human being

and that Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

The agency serves as the co-ordinating authority on international health work. It maintains certain necessary international health services, promotes and conducts research in the field of health, and works to improve standards of teaching in the health, medical and related professions.

Role of non-governmental organizations in consultative status

Article 71 of the United Nations Charter authorizes the Economic and Social Council to make suitable arrangements for consultation with non-governmental organizations (NGOs) which are concerned with matters within its competence. The Council has accordingly made such arrangements with several hundred international and national organizations, which are contained in resolution 1296 (1968) of the Economic and Social Council.

These organizations are divided into three groups: Category I, which is made up of NGOs having a basic interest in most of the activities of the Council; Category II, which is made up of NGOs having a special competence but which are concerned with only a few of the Council's activities. Those NGOs which can make occasional and useful contributions to the Council's work are placed on a Roster for *ad hoc* consultations.

All these organizations may send observers to public meetings of the Council, its commissions, sub-commissions and other subsidiary bodies. They can submit written statements for circulation and present their views orally to the Council or to one of its subsidiary bodies. In addition, they may consult with the United Nations Secretariat on matters of mutual concern.

The Economic and Social Council, by its resolution 1987/5 of 26 May 1987, invited non-governmental organizations in consultative status to submit to it written statements which might contribute to full and universal recognition and realization of the

rights contained in the International Covenant on Economic, Social and Cultural Rights, and requested the Secretary-General to make those statements available to the Committee on Economic, Social and Cultural Rights in a timely manner.

Under the procedures in effect for the handling of communications containing allegations of violations of human rights, NGOs may also play an important role by submitting written, reliable information to the United Nations. Those communications are considered admissible when they are based on direct and reliable knowledge of the violations involved. Admissible communications are then considered in private meetings by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. If the Sub-Commission finds that they appear to reveal a consistent pattern of gross and reliably attested violations requiring attention by the Commission on Human Rights, the latter may examine the situation and decide whether it should be the subject of any investigation by an *ad hoc* committee. On the basis of such an investigation, the Commission must then decide whether to make recommendations to the Economic and Social Council for further action to be taken.

In studying or dealing with certain human rights problems, United Nations organs frequently call upon non-governmental organizations in consultative status to supply information, particularly on existing *de facto* situations. NGOs have responded generously and have supplied large amounts of useful information, thereby enhancing the role and facilitating the task, of the United Nations in the field of human rights.

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