



ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS

RESUMED FORTY-EIGHTH SESSION

11-28 May 1970

RESOLUTIONS

SUPPLEMENT No. 1A

UNITED NATIONS

to report to the Commission on Human Rights at its twenty-seventh session on the measures taken to publicize the report of the *Ad Hoc* Working Group of Experts.”

*1693rd plenary meeting,
27 May 1970.*

1502 (XLVIII). Question of the realization of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and the study of special problems relating to human rights in developing countries

The Economic and Social Council,

Recalling its resolution 1421 (XLVI) of 6 June 1969,

Noting resolution 11 (XXVI) of the Commission on Human Rights,²⁵

1. *Requests* the Special Rapporteur to complete his study as soon as possible, taking into account the views expressed at the twenty-sixth session of the Commission on Human Rights, and to submit his final report to the Commission if possible at the twenty-seventh session, but in any case no later than the twenty-eighth session in 1972;

2. *Requests* the Secretary-General to continue providing to the Special Rapporteur all assistance necessary for the early completion of the report and, in particular, to urge once again those Governments and specialized agencies which have not yet done so to submit information on the effectiveness of the methods and means used by them in the realization of economic, social and cultural rights.

*1693rd plenary meeting,
27 May 1970.*

1503 (XLVIII). Procedure for dealing with communications relating to violations of human rights and fundamental freedoms

The Economic and Social Council,

Noting resolutions 7 (XXVI)²⁶ and 17 (XXV)²⁷ of the Commission on Human Rights and resolution 2 (XXI)²⁸ of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

1. *Authorizes* the Sub-Commission on Prevention of Discrimination and Protection of Minorities to appoint a working group consisting of not more than five of its members, with due regard to geographical distribution, to meet once a year in private meetings for a period not exceeding ten days immediately before the sessions of the Sub-Commission to consider all communications, including replies of Governments thereon, received by the Secretary-General under Council resolution 728 F (XXVIII) of 30 July 1959 with a view to bringing to the attention of the Sub-Commission those communications, together with replies

²⁵ See *Official Records of the Economic and Social Council, Forty-eighth Session, Supplement No. 5 (E/4816)*, chap. XXIII.

²⁶ *Ibid.*

²⁷ *Ibid.*, *Forty-sixth Session*, document E/4621, chap. XVIII.

²⁸ E/CN.4/976, chap. VI.

of Governments, if any, which appear to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms within the terms of reference of the Sub-Commission;

2. *Decides* that the Sub-Commission on Prevention of Discrimination and Protection of Minorities should, as the first stage in the implementation of the present resolution, devise at its twenty-third session appropriate procedures for dealing with the question of admissibility of communications received by the Secretary-General under Council resolution 728 F (XXVIII) and in accordance with Council resolution 1235 (XLII) of 6 June 1967;

3. *Requests* the Secretary-General to prepare a document on the question of admissibility of communications for the Sub-Commission's consideration at its twenty-third session;

4. *Further requests* the Secretary-General:

(a) To furnish to the members of the Sub-Commission every month a list of communications prepared by him in accordance with Council resolution 728 F (XXVIII) and a brief description of them, together with the text of any replies received from Governments;

(b) To make available to the members of the working group at their meetings the originals of such communications listed as they may request, having due regard to the provisions of paragraph 2 (b) of Council resolution 728 F (XXVIII) concerning the divulging of the identity of the authors of communications;

(c) To circulate to the members of the Sub-Commission, in the working languages, the originals of such communications as are referred to the Sub-Commission by the working group;

5. *Requests* the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider in private meetings, in accordance with paragraph 1 above, the communications brought before it in accordance with the decision of a majority of the members of the working group and any replies of Governments relating thereto and other relevant information, with a view to determining whether to refer to the Commission on Human Rights particular situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights requiring consideration by the Commission;

6. *Requests* the Commission on Human Rights after it has examined any situation referred to it by the Sub-Commission to determine:

(a) Whether it requires a thorough study by the Commission and a report and recommendations thereon to the Council in accordance with paragraph 3 of Council resolution 1235 (XLII);

(b) Whether it may be a subject of an investigation by an *ad hoc* committee to be appointed by the Commission which shall be undertaken only with the express consent of the State concerned and shall be conducted in constant co-operation with that State and under conditions determined by agreement with it. In any event, the investigation may be undertaken only if:

(i) All available means at the national level have been resorted to and exhausted;

(ii) The situation does not relate to a matter which is being dealt with under other procedures prescribed in the constituent instruments of, or conventions adopted by, the United Nations and the specialized agencies, or in regional con-

ventions, or which the State concerned wishes to submit to other procedures in accordance with general or special international agreements to which it is a party.

7. *Decides* that if the Commission on Human Rights appoints an *ad hoc* committee to carry on an investigation with the consent of the State concerned:

(a) The composition of the committee shall be determined by the Commission. The members of the committee shall be independent persons whose competence and impartiality is beyond question. Their appointment shall be subject to the consent of the Government concerned;

(b) The committee shall establish its own rules of procedure. It shall be subject to the quorum rule. It shall have authority to receive communications and hear witnesses, as necessary. The investigation shall be conducted in co-operation with the Government concerned;

(c) The committee's procedure shall be confidential, its proceedings shall be conducted in private meetings and its communications shall not be publicized in any way;

(d) The committee shall strive for friendly solutions before, during and even after the investigation;

(e) The committee shall report to the Commission on Human Rights with such observations and suggestions as it may deem appropriate;

8. *Decides* that all actions envisaged in the implementation of the present resolution by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or the Commission on Human Rights shall remain confidential until such time as the Commission may decide to make recommendations to the Economic and Social Council;

9. *Decides* to authorize the Secretary-General to provide all facilities which may be required to carry out the present resolution, making use of the existing staff of the Division of Human Rights of the United Nations Secretariat;

10. *Decides* that the procedure set out in the present resolution for dealing with communications relating to violations of human rights and fundamental freedoms should be reviewed if any new organ entitled to deal with such communications should be established within the United Nations or by international agreement.

*1693rd plenary meeting,
27 May 1970.*

1504 (XLVIII). Report of the Commission on Human Rights

The Economic and Social Council

Takes note of the report of the Commission on Human Rights on its twenty-sixth session.²⁹

*1693rd plenary meeting,
27 May 1970.*

²⁹ *Official Records of the Economic and Social Council, Forty-eighth Session, Supplement No. 5 (E/4816).*

1505 (XLVIII). Activities arising out of the decisions taken by the Commission on Human Rights at its twenty-sixth session

The Economic and Social Council,

Having noted the statement of financial implications prepared by the Secretary-General³⁰ on the decisions taken by the Commission on Human Rights at its twenty-sixth session,

1. *Decides* that the activities arising out of the decisions taken by the Commission on Human Rights at its twenty-sixth session in resolutions 8 (XXVI) and 10 (XXVI)³¹ should be undertaken in 1970, in conformity with the relevant decisions of the Commission, bearing in mind the necessity to effect the maximum savings when allocating funds;

2. *Authorizes* the Secretary-General to inform the Advisory Committee on Administrative and Budgetary Questions that the Council, taking into account the provisions of paragraph 1 above, considers the relevant programmes and expenditures to be of an urgent nature.

*1693rd plenary meeting,
27 May 1970.*

1506 (XLVIII). Periodic reports on human rights

The Economic and Social Council,

Noting resolution 13 (XXVI) of the Commission on Human Rights,³²

Authorizes the *Ad Hoc* Committee on Periodic Reports on Human Rights, notwithstanding the provisions of resolution 1074 C (XXXIX) of 28 July 1965 of the Council, to submit its report to the Commission on Human Rights within one year following the receipt of the reports referred to in paragraph 6 of resolution 1074 C (XXXIX).

*1693rd plenary meeting,
17 May 1970.*

1509 (XLVIII). Allegations regarding infringements of trade-union rights

The Economic and Social Council,

Recalling its resolution 1412 (XLVI) of 6 June 1969 in which it, *inter alia*, authorized the *Ad Hoc* Working Group of Experts to continue its investigations into the infringements of trade-union rights in the Republic of South Africa, Namibia and Southern Rhodesia,

Also recalling that the Council had in the same resolution, *inter alia*, requested the International Labour Organisation to prepare and forward to it a comprehensive report on the position concerning the infringements of trade-union rights in the Portuguese colonies in Africa,

³⁰ E/4816/Add.1.

³¹ See *Official Records of the Economic and Social Council, Forty-eighth Session, Supplement No. 5, (E/4816) chap. XXIII.*

³² *Ibid.*