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ECONOMIC
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MAR 11 1983



Distr.
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E/CN.4/L.1502
21 February 1980
ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE
COMMISSION ON HUMAN RIGHTS
Thirty-sixth session
Agenda item 10 (b)

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR:
(b) QUESTION OF MISSING AND DISAPPEARED PERSONS

France: draft resolution

The Commission on Human Rights,

Bearing in mind General Assembly resolution 33/173 of 20 December 1978, which requested the Commission on Human Rights to consider the question of missing or disappeared persons with a view to making appropriate recommendations,

Taking into account resolution 1979/38 of the Economic and Social Council, which requested the Commission to consider the question as a matter of priority, and resolution 5 B (XXXII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Convinced that the elimination of enforced or involuntary disappearances requires a systematic effort on the part of the international community and on the part of Governments,

1. Invites the Secretary-General to appoint, in consultation with its Chairman, three experts of international standing in their individual capacities, to study and examine all reports and information which come to their attention concerning enforced or involuntary disappearances of persons in any part of the world;
2. Requests the experts to seek all available information concerning enforced or involuntary disappearances from the Governments and families concerned, and to take appropriate action, in consultation with the Governments concerned, to promote the implementation of the provisions of General Assembly resolution 33/173 and other United Nations resolutions relevant to the situation of missing or disappeared persons;

3. Decides that the experts should choose their working methods in such a way as to ensure the necessary speed and flexibility of action in responding to urgent situations;

4. Requests the experts to submit to the Commission at each session a report on their activities, together with their conclusions and recommendations;

5. Requests all Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations to co-operate with and assist the experts in the performance of their task;

6. Further requests Governments, at the request of the experts:

(a) To inform the experts without delay of cases in which they are unable to locate immediately or following a brief investigation either a person whose abduction or arrest has been reported to them or a person who has been reported missing and may be presumed to have been the victim of such acts;

(b) To inform the experts without delay of any facts established and any progress made and conclusions drawn in the course of investigations opened in cases of enforced or involuntary disappearances;

7. Also requests Governments, when they are presented with reliable reports on cases of enforced or involuntary disappearances, to undertake without delay impartial investigations into the whereabouts or fate of the missing or disappeared person and the identity of the abductors;

8. Urges the Secretary-General to continue to use his good offices in cases of enforced or involuntary disappearances of persons;

9. Urgently requests the Secretary-General to provide the experts with all necessary assistance in particular the staff and resources they require in order to perform their functions in an effective and expeditious manner;

10. Decides to continue consideration of this question at its thirty-seventh session.