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Discrimination and Protection  
of Minorities  
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Item 10 (b) of the provisional agenda

THE ADMINISTRATION OF JUSTICE AND THE HUMAN RIGHTS OF DETAINEES:  
QUESTION OF HUMAN RIGHTS AND STATES OF EMERGENCY

Fifth annual report and list of States which, since 1 January 1985,  
have  
proclaimed, extended or terminated a state of emergency, presented  
by  
Mr. Leandro Despouy, Special Rapporteur appointed pursuant to  
Economic  
and Social Council resolution 1985/37

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Introduction

1. By resolution 10 (XXX) of 31 August 1977, the Sub-Commission on Prevention of Discrimination and Protection of Minorities expressed its concern at the manner in which certain countries applied the provisions relating to situations known as states of siege or emergency. Convinced that a connection existed between such application and the situation regarding human rights in the said countries, it considered that a comprehensive study of the implications for human rights of recent developments in that sphere would be conducive to the achievement of the aims pursued by the United Nations in the field of human rights. The comprehensive study was presented by Ms. Nicole Questiaux at the thirty-fifth session of the Sub-Commission (E/CN.4/Sub.2/1982/15).
2. In resolution 1983/18, the Commission on Human Rights requested the Sub-Commission to propose for the Commission's consideration measures designed to ensure the respect throughout the world of human rights and fundamental freedoms in situations where states of siege or emergency existed, especially respect for those rights referred to in article 4, paragraph 2, of the International Covenant on Civil and Political Rights.
3. By resolution 1983/30, the Sub-Commission decided to include in its agenda an item entitled "Implementation of the right of derogation provided for under article 4 of the International Covenant on Civil and Political Rights and violations of human rights". 1/
4. At the Sub-Commission's request, the Economic and Social Council, by resolution 1985/37, authorized the Sub-Commission to appoint a special rapporteur to carry out the work referred to in Commission resolution 1983/18 and Sub-Commission resolution 1983/30.
5. The mandate of the Special Rapporteur for that task, Mr. Leandro Despouy, as laid down in these resolutions as well as in subsequent Sub-Commission resolutions 1985/32, 1987/25, 1988/24, 1989/28, 1990/19 and 1991/18, includes the following main tasks: (a) to draw up and update annually a list of countries which proclaim or terminate a state of emergency; (b) to examine, in annual reports, questions of compliance by States with internal and international rules guaranteeing the legality of the introduction of a state of emergency; (c) to study the impact of emergency measures on human rights; (d) to recommend concrete measures with a view to guaranteeing respect

for human rights in situations of state of siege or emergency.

6. The Special Rapporteur has presented to the Sub-Commission and to the Commission on Human Rights an explanatory paper (E/CN.4/Sub.2/1985/19) and his first, second, third and fourth reports and lists of States which, since 1 January 1985, have proclaimed, extended or terminated a state of emergency, including the revised and updated versions of those reports (E/CN.4/Sub.2/1987/19/Rev.1 and Add.1-2; E/CN.4/Sub.2/1988/18/Rev.1; E/CN.4/Sub.2/1989/30/Rev.2; E/CN.4/Sub.2/1991/28/Rev.1).

7. Pursuant to the request contained in decision 1991/262 of the Economic and Social Council, the Special Rapporteur presented to the Sub-Commission and to the Commission on Human Rights the draft guidelines for the development of legislation on states of emergency, which were continued in annex I to his fourth annual report (E/CN.4/Sub.2/1991/28/Rev.1).

8. By its decision 1992/107, the Commission on Human Rights, taking note of Sub-Commission resolution 1991/18, recommended to the Economic and Social Council to endorse the request by the Sub-Commission to Mr. Leandro Despouy, Special Rapporteur on human rights and states of emergency, to continue to update the list on states of emergency and to include in his annual report to the Sub-Commission and the Commission on Human Rights the completed draft standard provisions on emergency situations, giving special emphasis to the question of non-derogable rights.

9. The present report has been prepared in pursuance of this decision, as well as of other pertinent resolutions of the Commission on Human Rights and the Sub-Commission.

I. LIST OF STATES WHICH, SINCE 1 JANUARY 1985, HAVE PROCLAIMED, EXTENDED OR TERMINATED A STATE OF EMERGENCY

10. By drawing up this list of States which have proclaimed, extended or terminated a state of emergency, the Special Rapporteur has endeavoured, within the limits of the information available to him, to give the Sub-Commission and the Commission as complete a picture as possible of the world situation regarding states of emergency since 1 January 1985. The present composite list contains a summary of information which had already been included in his four previous reports as well as new information received from Governments, United Nations bodies and other intergovernmental organizations, communicated by non-governmental organizations in consultative status with the Economic and Social Council and published in the press since November 1991, when his fourth revised report was issued.

11. The purpose of this recapitulation is to give an overall view of the world situation regarding states of emergency and at the same time to improve the list prepared by the Special Rapporteur. To that end, it is essential to benefit once more from the cooperation of the Governments concerned, the non-governmental organizations and all those in a position to supply reliable information capable of correcting errors or remedying gaps which may exist in that list.

12. According to the information available to the Special Rapporteur, the following 80 States have, since 1 January 1985, taken measures which constituted the proclamation, extension, maintenance or termination of emergency regimes in various forms: 2/

Afghanistan: State of emergency proclaimed on 19 February 1989. Lifted on 28 May 1990.

Sources: Interim reports on the situation of human rights in Afghanistan, prepared by Mr. F. Ermacora, Special Rapporteur of the Commission on Human Rights (documents A/44/669, para. 20 (e), and A/45/664, para. 36).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Algeria:\*  
Terminated on

State of siege proclaimed on 6 October 1988.  
12 October 1988.

of

State of siege decreed on 5 June 1991 for a period  
four months. Terminated on 29 September 1991.

1989;

Sources: Letter from the Government dated 28 April  
Notifications of Government to the United Nations  
Secretary-General dated 19 June and 3 October 1991.

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\* An asterisk accompanying the name of a country or a territory indicates that the state of emergency there is still in force.



paras. 21 (Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2,  
E/CN.4/Sub.2/1991/28/Rev.1, and 24; Fourth report, doc.  
para. 12).

a State of emergency proclaimed on 9 February 1992 for  
duration of 12 months.

1992. Sources: Notifications of the Government to the  
United Nations Secretary-General dated 13 February

Argentina: State of siege proclaimed on 25 October 1985 for 60  
days. Terminated on 7 December 1985.

1987. Sources: Letter from the Government dated 12 August

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,  
paras. 27, 39, 45, 49, 56 and annex I; Second report,  
doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27).

State of siege proclaimed on 29 May 1989 for 30 days.  
Lifted on 27 June 1989.

and Sources: Notifications of the Government to the  
United Nations Secretary-General dated 7 June 1989  
11 July 1989.

paras. 21 (Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2,  
E/CN.4/Sub.2/1991/28/Rev.1, and 24; Fourth report, doc.  
para. 12).

in Armenia: Since 15 January 1990, a state of emergency has been  
force in the Gorissa region of the Armenian SSR.

to the Sources: Notification of the Government of the USSR  
United Nations Secretary-General dated 16 January  
1990.

and On 29 August 1990, a state of emergency was declared  
on a curfew introduced throughout the republic. Lifted  
16 August 1991.

non-governmental Sources: Information received from a

organization and published in the press.

(Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para.

Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

21;  
12).

declared and  
for a

On 16 December 1991, a state of emergency was  
a curfew introduced in the Megri region of Armenia  
period of three months.

letter  
Armenia,  
information  
impact on

Sources: Information published in the press. In a dated 19 May 1992, addressed to the Government of the Special Rapporteur requested more detailed regarding the emergency measures taken and their human rights.

Azerbaijan:\*  
Azerbaijan SSR  
state of

State of emergency imposed in the Nagorno-Karabakh autonomous region and Agdam district of the as of 21 September 1988. Since 15 January 1990, a emergency has been in force in the territory of the Nagorno-Karabakh autonomous region, the regions of Azerbaijan SSR adjacent thereto, and the border zone the state frontier of the USSR in the territory of Azerbaijan SSR.

the  
along  
the

On 20 January 1990, a state of emergency was declared the city of Baku. Lifted in August 1991.

in

In June 1990, a state of emergency was introduced in Azerbaijan SSR along its border with Armenian SSR.

to  
1988,  
press.

Sources: Notifications of the Government of the USSR the United Nations Secretary-General dated 13 October 15 and 19 January 1990; information published in the

annex I;

(Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,

21

Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, paras.

E/CN.4/Sub.2/1991/28/Rev.1,

and 24; Fourth report, doc.

para. 12).

a  
city of

On 14 May 1992, a state of emergency was decreed for period of two months and a curfew introduced in the Baku.

Sources: Information published in the press. In a

letter

dated 19 May 1992, addressed to the Government of the Azerbaijan Republic, the Special Rapporteur requested

more

detailed information regarding the emergency measures

taken

and their impact on human rights.

on Bangladesh:

Martial law proclaimed on 24 March 1982. Terminated  
10 November 1986.

Lifted on

State of emergency declared on 27 November 1990.  
6 December 1990.

1987;

organizations

awaits

Government.

Sources: Letter from the Government dated 22 July  
information received from non-governmental  
and published in the press. The Special Rapporteur  
more precise information to be submitted by the

Fourth

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39 and annex I; Second report, doc. E/CN.4/Sub.2/1988/Rev.1, paras. 18 and 27; report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Bolivia:

State of emergency proclaimed on 18 September 1985. Terminated on 19 December 1985.

State of emergency proclaimed on 27 August 1986. Terminated on 27 November 1986.

State of emergency proclaimed on 15 November 1989. Terminated on 15 February 1990.

and

1986,

Sources: Notifications of the Government to the United Nations Secretary-General dated 27 September 29 October 1985, 6 January, 28 August and 28 November 16 November and 8 December 1989 and 18 March 1990.

21

E/CN.4/Sub.2/1991/28/Rev.1,

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para. 27 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, paras. and 24; Fourth report, doc. para. 12).

newly

emergency

to be

Bosnia-

Herzegovina:\*

Admitted to the United Nations on 22 May 1992, this emerged State found itself in a de facto state of at the moment of its transition to independence. The Special Rapporteur awaits more precise information submitted by the Government.

Still

Brunei

Darussalam:\*

State of emergency proclaimed on 12 December 1962. in force.

Sources: Letters from the Government, latest dated 4 April 1991.

12).

comparable

Burkina Faso:

Succession of emergency regimes and situations

to states of emergency since November 1980.

Sources: Letter from the Government dated 30 April

1991.

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

para. 12).

Lifted on Cameroon: State of emergency proclaimed on 18 April 1984.  
19 December 1991.

precise Sources: Information received from non-governmental organizations. The Special Rapporteur awaits more information to be submitted by the Government.

30 (First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para. and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

throughout the Canada: State of emergency declared on 23 July 1989 province of Manitoba. Terminated on 4 August 1989.

1989. Sources: Letter from the Government dated 24 August

21; (Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

since Chad: No state of emergency has been formally proclaimed 1 January 1985. However, a decree dated 7 April 1988 restricted for one week the realization of some human rights and fundamental freedoms.

1988 Sources: Letters from the Government dated 20 July and 5 February 1991.

paras. 18 (Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, and 25; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

to Chile: Proclamation of state of siege (from 7 November 1984 1987), 17 June 1985 and from 8 September 1986 to 5 January 1988) state of emergency (from 24 March 1984 to 27 August and state of danger of disturbance of internal peace (from

11 March 1981 to 27 August 1988).

Sources: Notifications of the Government to the United Nations Secretary-General dated, inter alia, 17 June 1985, 22 September 1986, 20 January 1987 and 31 August 1988; letters from the Government dated 10 August 1989 and 21 February 1991.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,

paras. 27,

41 and annex I; doc.

E/CN.4/Sub.2/1987/19/Rev.1/Add.1,

annex I; Second report, doc.

E/CN.4/Sub.2/1988/18/Rev.1,

paras. 18, 22, 27, 28 and 71; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 24; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).



China: Martial law imposed in Lhasa, Tibet, on 8 March 1989.  
Lifted on 1 May 1990.

Lifted on Martial law imposed in Beijing on 20 May 1989.  
11 January 1990.

the Sources: Letters from the Government dated 8 May and  
15 August 1989. Letter dated 12 January 1990 from  
Permanent Representative of China (reproduced in  
doc. E/CN.4/1990/55); information received from  
non-governmental organizations and other information  
published in the press.

21; (Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para.  
12). Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

Colombia: State of siege proclaimed on 1 May 1984. Lifted on  
7 July 1991.

Sources: Notifications of the Government to the  
United Nations Secretary-General dated 7 May and  
11 December 1984 and 9 August 1991; letters from the  
Government dated 21 December 1987, 13 July 1988,  
18 April 1989 and 16 September 1991.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,  
paras. 27, 39 and annex I; Second report,  
doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 44;  
Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2,  
para. 21; Fourth report, doc.  
E/CN.4/Sub.2/1991/28/Rev.1,  
para. 12).

newly Croatia:\* Admitted to the United Nations on 22 May 1992, this  
emergency emerged State found itself in a de facto state of  
to be at the moment of its transition to independence. The  
Special Rapporteur awaits more precise information  
submitted by the Government.

Djibouti: On 16 November 1991, a curfew was introduced in the  
district of Obock.

Special Sources: Information published in the press. The  
submitted Rapporteur awaits more precise information to be  
by the Government.

Ecuador: Repeated proclamation of state of national emergency

(14 to 17 March 1986, 28 to 30 October 1988, 31 May to 1 June 1988 and 27 September to 13 October 1989).

the  
March 1986,  
August 1989.

Sources: Letters from the Government (latest dated 12 January 1990); notifications of the Government to United Nations Secretary-General dated 14 and 18 28 and 30 October 1987, 1 and 2 June 1988 and 2

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 28 and annex I; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Egypt:\*  
1981.  
1988 to

State of emergency has been in force since 6 October  
It was extended for a three-year period from 1 May 31 May 1991.

1991;  
organizations.

Sources: Letter from the Government dated 28 March information received from non-governmental

30  
E/CN.4/Sub.2/1988/18/Rev.1,  
E/CN.4/Sub.2/1991/28/Rev.1,

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para. and annex I; Second report, doc. para. 18; Fourth report, doc. para. 12).

three

On 1 June 1991, martial law was extended for another years.

non-governmental  
precise

Sources: Information received from a organization. The Special Rapporteur awaits more information to be submitted by the Government.

El Salvador:  
constitutional  
subsequently

Suspension of certain constitutional guarantees since 6 March 1980. Successive extensions of martial law in 1984-1985. Termination of state of emergency on 12 January 1987. Further suspension of guarantees on 12 November 1989 for 30 days, extended until mid-April 1990.

1983,

dated

non-governmental

Sources: Notifications of the Government to the United Nations Secretary-General dated 3 November

14 June 1984, 31 July 1985, 13 November 1989 and 5 January 1990; letters from the Government, latest

18 August 1989; information received from organizations.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 41 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, paras. 21 and 24 and annex I; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

quite  
of  
and

Ethiopia:\* The existence of a de facto state of emergency for some time has been reported. Since May 1988, state emergency has been in force in the regions of Tigray and Eritrea. Terminated in May 1991.

Government  
the  
in

In May 1991, a curfew was introduced in Addis Ababa. Sources: Information received from non-governmental organizations and published in the press. The Government has not yet communicated to the Special Rapporteur information regarding all emergency measures taken in connection with recent events in the country.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Fiji: State of public emergency proclaimed on 14 May 1987. Terminated on 5 December 1987.

November and

Sources: Letters from the Government dated 6 7 December 1989.

12).

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 24; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

France: State of emergency proclaimed in New Caledonia and dependencies on 12 January 1985. Extended until 30 June 1985.

on

State of emergency proclaimed in Wallis and Futuna 29 October 1986. Terminated on 30 October 1986.

of the

Sources: Notification of the Government to the Secretary-General of the Council of Europe; letter Government dated 9 July 1987.

12).

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39, 49 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

Gabon: State of siege introduced in the province of

Port-Gentil.  
1990.

Curfew in force since May 1990. Terminated in August

Special  
submitted

Sources: Information published in the press. The  
Rapporteur awaits more precise information to be  
by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Gambia:  
Terminated

State of emergency proclaimed on 2 August 1981.  
on 8 February 1985.

Sources: Information received from non-governmental organizations.

I;  
27;  
12).

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, annex  
Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para.  
Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

Georgia:\*  
citizens"

On 18 July 1989, a "special regime of conduct for  
was introduced in Abkhaz autonomous republic.

introduced

On 12 December 1990, a state of emergency was  
and subsequently extended in Tskhinvali and Dzhavski  
district (South Ossetia).

introduced in

In September 1991, a state of emergency was  
Tbilisi, the capital city of Georgia.

non-governmental

Sources: Information received from a  
organization; information published in the press.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

and a  
of

In January 1992, a state of emergency was declared  
curfew introduced in Kutaisi and several districts  
western Georgia.

letter  
Georgia,  
information  
impact on

Sources: Information published in the press. In a  
dated 19 May 1992, addressed to the Government of  
the Special Rapporteur requested more detailed  
regarding the emergency measures taken and their  
human rights.

Haiti:\*  
Terminated

State of siege proclaimed on 29 January 1986.  
on 14 February 1986.

1987 and

Sources: Letters of the Government dated 10 June  
16 March 1989.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,  
paras. 27, 39, 41 and annex I; Second report, doc.  
E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Third report,  
doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 24).

on

State of siege introduced on 20 January 1990. Lifted  
30 January 1990.



1990/56

in

curfew

the

information

impact on

para. 12).

Honduras:  
Terminated

para. 18;

12).

India:  
information from

Kashmir,

Pradesh,

suspended

continuing

press that

other

para. 12).

Sources: Commission on Human Rights resolution of 7 March 1990; Reports on human rights situation Haiti prepared by Mr. P. Texier, Independent Expert (doc. E/CN.4/1990/44/Add.1, paras. 1 and 20; E/CN.4/1991/33, paras. 3, 11 and 125).

In September 1991, following the military action, a curfew was introduced in Port-au-Prince. In a letter dated 22 October 1991 addressed to the Government of Haiti, the Special Rapporteur requested more detailed information regarding the emergency measures taken and their impact on human rights. 3/

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

State of emergency proclaimed on 8 April 1988. on 13 April 1988.

Sources: Information received from non-governmental organizations and published in the press. The Special Rapporteur awaits more precise information to be submitted by the Government.

(Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,

Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

The Special Rapporteur awaits more precise information from the Government concerning the measures taken in Kashmir, Punjab, areas in the north-east and in Andhra Pradesh, where, according to non-governmental sources, certain constitutional guarantees were said to have been suspended under special laws which in effect established a state of emergency. It was also reported in the press that curfews had been imposed for short periods in some other regions as well.

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Iraq:

during  
connection

The Special Rapporteur awaits information from the Government concerning the emergency measures taken the armed conflict and afterwards, as well as in with the events that have taken place in the Kurdish provinces.

in Iraq,  
of  
para.  
verbale  
to the

Sources: Reports on the situation of human rights prepared by Mr. Max van der Stoel, Special Rapporteur the Commission on Human Rights (documents A/46/647, 60; E/CN.4/1992/31, paras. 22-39 and 151); Note dated 3 July 1991 from the Permanent Mission of Iraq Centre for Human Rights (reproduced in doc. E/CN.4/Sub.2/1991/51).

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Israel:\* State of emergency in force since May 1948.  
Sources: Letter from the Government dated 28 May 1991.  
(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1/Add.2, chapter V; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Territories occupied by Israel:\* Emergency legislation in force.  
received from Sources: United Nations reports; information non-governmental organizations. The Special Rapporteur awaits more precise information to be submitted by the Government.\*\*  
(Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 21; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Jordan: Martial law declared on 5 June 1967.  
According to a non-governmental source, the Government's decision to repeal the martial law has been endorsed by the royal decree of 7 July 1991.  
Sources: Reports of Jordan to the Human Rights Committee (doc. CCPR/C/1/Add.55, CCPR/C/1/Add.56 and CCPR/C/46/Add.4); information received from non-governmental organizations.  
(Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 21; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Kazakhstan: On June 1989, a curfew was introduced in the town of Novy Uzen, Guriev district. Lifted on 24 July 1989.

Special  
submitted

Sources: Information published in the press. The  
Rapporteur awaits more precise information to be  
by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

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\*\* See also paragraphs 32 and 33 below.

state  
part  
Special  
submitted

Kenya: According to a non-governmental source, a long-term of emergency has been in effect in the north-eastern of the country until the beginning of 1992. The Rapporteur awaits more precise information to be by the Government, especially with regard to the emergency-type detention law currently in force.

introduced

Kyrgyzstan: On 4 and 7 June 1990, a state of emergency was in Osh town and in Osh region. Partially lifted on 14 September 1991.

was  
Bishkek).

From 7 June to 21 November 1990, a state of emergency in force in the capital, Frunze (now renamed

non-governmental  
submitted

Sources: Information received from a organization and published in the press. The Special Rapporteur awaits more precise information to be by the Government.

paras. 21  
E/CN.4/Sub.2/1991/28/Rev.1,

(Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, and 24; Fourth report, doc. para. 12).

Kuwait: Emergency regime introduced for a few days after the withdrawal of Iraqi troops.

Special  
submitted

Sources: Information published in the press. The Rapporteur awaits more precise information to be by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Lesotho: State of emergency declared on 25 February 1988. Reinstated on 2 May 1988. Lifted in early 1990.

non-governmental  
precise

Sources: Information received from a organization. The Special Rapporteur awaits more information to be submitted by the Government.

(Second report, doc. E/CN.4/Sub.2/1988/Rev.1, para.

18;

Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

12).

Liberia:\*

Suspension of certain constitutional guarantees since July 1990. Curfew enforced in the capital.

Special  
submitted

Sources: Information published in the press. The Rapporteur awaits more precise information to be by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Madagascar:\* State of emergency declared on 23 July 1991 and subsequently extended. Curfew enforced in the capital.

Sources: Information published in the press. The Special Rapporteur awaits more precise information to be submitted by the Government.

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Malawi: Expressly Emergency legislation in force since 1965 which provides for preventive detention.

non-governmental Sources: Information received from a organization. The Special Rapporteur awaits more precise information to be submitted by the Government.

Malaysia: State of emergency throughout the country proclaimed on 15 May 1969. Emergency legislation currently in force which expressly provides for preventive detention.

Sources: Information received from non-governmental organizations.

report, (First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 30, 41 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Fourth doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Mali:\* State of emergency declared on 22 March 1991.

Special Sources: Information published in the press. The Rapporteur awaits more precise information to be submitted by the Government.

para. 12).

Mauritania: A curfew was introduced in rural areas of the south. A de facto state of emergency has been reported to exist in the Senegal river valley.

Sources: Information received from non-governmental

precise

organizations. The Special Rapporteur awaits more information to be submitted by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,



Moldova:\*  
emergency

From 26 October to 6 December 1990, a state of  
was in force in several southern districts.

On 16 March 1992, a "special situation" regime was  
introduced on the left bank of Dneestr river.

non-governmental  
dated  
the  
information  
impact on

Sources: Information received from a  
organization and published in the press. In a letter  
19 May 1992, addressed to the Government of Moldova,  
Special Rapporteur requested more detailed  
regarding the emergency measures taken and their  
human rights.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

1988 and Myanmar:\*

State of emergency proclaimed at Prome on 22 July  
in the Yangon (Rangoon) region on 3 August 1988.  
Terminated on 24 August 1988.

still in  
townships.

Martial law introduced on 18 September 1988 and is  
force. By end of May 1990, it was lifted in 102

and  
January,

Sources: Letters from the Government dated 29 May  
24 August 1987, 16 May and 17 August 1989, 26  
21 March, 7 May and 14 June 1990 and 4 March 1991;  
information received from non-governmental

organizations.

(Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,  
paras. 18, 20 and 28; Third report, doc.  
E/CN.4/Sub.2/1989/30/Rev.2, paras. 21 and 24;  
Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

12).

Nicaragua:  
interruptions,  
October

State of emergency was in force, with brief  
from 15 March 1982 to 19 January 1988, and from 20  
to 15 November 1988.

Sources: Notifications of the Government to the  
Secretary-General of the United Nations, latest dated  
4 February, 21 October and 16 November 1988.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para. and annex I; doc. E/CN.4/Sub.2/1987/19/Rev.1/Add.2, annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27 and Annex I; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Nigeria:

State of emergency proclaimed on 31 December 1983.

non-governmental  
precise

Sources: Information received from a organization. The Special Rapporteur awaits more information to be submitted by the Government.

Pakistan:

Martial law was in force from 5 July 1977 to 30 December 1985.

State of emergency proclaimed on 17 August 1988. Terminated on 1 December 1988.

Sources: Letters from the Government, latest dated 24 October and 5 December 1989.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 22, 30, 41 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 21; Fourth report, doc.

E/CN.4/Sub.2/1991/28/Rev.1,

para. 12).

Panama:

Terminated

State of emergency proclaimed on 10 June 1987. on 29 June 1987.

Sources: Notifications of the Government to the Secretary-General of the United Nations dated 11 and 30 June 1987.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para.

21;

12).

Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

Papua New Guinea:

Terminated

State of emergency proclaimed on 17 June 1985. on 21 October 1985.

Sources: Information received from non-governmental organizations.

I;

18).

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, annex

Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para.

State of emergency declared on 26 June 1989. On 12 January 1990 extended for further two months.

non-governmental  
precise

Sources: Information received from a organization. The Special Rapporteur awaits more information to be submitted by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Paraguay:

State of siege, which had been in force since 1954, was terminated on 9 April 1987.

Sources: Letters from the Government, latest dated 27 April 1987 (reproduced in doc.

E/CN.4/Sub.2/1987/18).

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39, 40 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 27; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

12).

Peru:\*

considerable  
emergency in  
new

State of emergency is currently in force in a part of the territory; extension of states of certain provinces and departments and declaration of states of emergency are periodically reported.

Sources: Notifications of the Government to the United Nations Secretary-General (latest dated 15 20 June 1991); letters from the Government addressed to the Centre for Human Rights (latest dated 1 and 23 4 and 13 November 1991, 15, 21, 23 and 27 January, and 27 March and 3 April 1992).

March and  
to the  
October,  
16, 18

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39, 43 and annex I; doc. E/CN.4/Sub.2/1987/19/Rev.1/Add.1, annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 24 and Annex I; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 21; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

and  
of  
Peru.  
On 5 April 1992, the President of the Republic has dissolved the Parliament and suspended, temporarily and partially, the Constitution throughout the territory of Peru.

Sources: Information published in the press and communicated to the Special Rapporteur by the

Permanent

Mission of Peru in Geneva.\*\*\* The Special Rapporteur awaits more precise written information to be

submitted by

the Government.

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\*\*\* See also paragraphs 27 and 28 below.

Philippines:\*  
revolution

De facto states of emergency lasting only a few days were proclaimed in February 1986 during the and at the time of the attempted coup d'état of 28 August 1987.

December 1987.

Sources: Letter from the Government dated 10

22).

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para.

1989.

State of national emergency proclaimed on 6 December  
Still in force.

1991.

Sources: Letter from the Government dated 2 April

Russian  
in  
and  
1991,

On 19 April 1991, a state of emergency was introduced  
Vladikavkaz (North Ossetia) for a period of one month  
subsequently extended until 19 September, 19 December  
19 April and 10 August 1992.

in  
period

On 13 June 1991, a state of emergency was introduced  
Makhachkala, the capital city of Dagestan, for a  
of one month.

in

On 19 August 1991, a state of emergency was declared  
some parts of the USSR for six months by the newly  
established State Committee for Emergency Situations.

On

22 August 1991, all decrees of this Committee were  
cancelled by the President of the USSR.\*\*\*\*

at

Sources: Statement made by the observer for the USSR  
the forty-third session of the Sub-Commission, on  
30 August 1991; information received from  
organizations; information published in the press.

non-governmental

para. 12

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,  
and annex II).

From 11 to 28 September 1991, a state of emergency

was in

force in the Kazbek district of Dagestan.

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\*\*\*\* See also paragraphs 25-26 below and annex II.



Chechen  
in its

Repeated introduction of states of emergency in the Republic. A curfew was imposed on 10 February 1992 capital, Grozny, for 30 days.

In May 1992, a state of emergency was introduced in Makhachkala and Kizilywit cities of Dagestan.

in

On 10 June 1992, a state of emergency was introduced several districts of the North Ossetia.

Russian

Sources: Letter from the Permanent Mission of the Federation in Geneva, dated .. June 1992; information received from a non-governmental organization and

published

in the press. In a letter dated 19 May 1992,

addressed to

the Government of the Russian Federation, the Special Rapporteur requested more detailed information

regarding

the emergency measures taken and their impact on rights.

human

Rwanda:\*

State of siege declared in October 1990.

Rwanda

Sources: Statement by the Minister of Justice of 17 January 1991; information received from non-governmental organizations and published in the

press.

The Special Rapporteur awaits more precise information to be submitted by the Government.

information

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

para. 12).

Senegal:

State of emergency was proclaimed from 29 February to 20 May 1988 and from 28 April to 19 May 1989.

Sources: Letters from the Government dated 20 September 1988 and 15 January 1990.

paras. 18

(Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,

E/CN.4/Sub.2/1989/30/Rev.2,

and 28; Third report, doc.

E/CN.4/Sub.2/1991/28/Rev.1,

para. 24; Fourth report, doc.

para. 12).

Sierra Leone:\*

State of emergency declared on 2 November 1987.

Renewed on

8 March 1988.

non-governmental

Sources: Information received from a  
organization.

para. 18;

(Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,

12).

Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

and a On 30 April 1992, a state of emergency was declared  
curfew imposed.

letter Sources: Information published in the press. In a  
dated 19 May 1992, addressed to the Government of  
Sierra Leone, the Special Rapporteur requested more  
detailed information regarding the emergency measures  
taken and their impact on human rights.

Singapore:  
expressly Emergency legislation currently in force which  
provides for preventive detention.

1989; Sources: Letter from the Government dated 18 August  
information received from non-governmental  
organizations.

para. 18; (Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,  
21; Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para.  
12). Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

Somalia:\*  
armed Emergency regulations in force in areas affected by  
conflict.

precise Sources: Information received from non-governmental  
organizations. The Special Rapporteur awaits more  
information to be submitted by the Government.

para. 12) (Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

South Africa:  
as well State of emergency in 36 magisterial districts was  
in proclaimed on 21 July 1985. A country-wide state of  
emergency has existed since 12 June 1986. Successive  
proclamations or extensions of states of emergency  
as lifting of some emergency regulations took place  
1987, 1988, 1989 and 1990.

all On 7 June 1990, the state of emergency was lifted in  
the areas of the country, except Natal. The lifting of

state of emergency in Natal province was announced  
on 18 October 1990.

Sources: Letters from the Government dated  
1 September 1988 and 6 July 1989  
(cf. E/CN.4/Sub.2/1989/45); information submitted  
by the Special Committee against Apartheid;  
information received from non-governmental organizations.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,  
para. 30 and annex I;  
doc. E/CN.4/Sub.2/1987/19/Rev.1/Add.2, Chapter IV.B;  
Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1,

and 23; Third report, doc.  
para. 18 and annex I; doc.  
para. 21 and annex I).

paras. 18

E/CN.4/Sub.2/1989/30/Rev.1,

E/CN.4/Sub.2/1989/30/Rev.2,

On 28 October 1991, a state of emergency was imposed throughout the Ciskei.

Sources: Report of the Ad Hoc Working Group of southern Africa (doc. E/CN.4/1992/8, para. 167). 4/ The Special Rapporteur awaits more precise information to be submitted by the Government.

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Experts on  
information to  
para. 12).

Sri Lanka:\*  
Terminated

State of emergency proclaimed on 18 May 1983.  
on 11 January 1989.

in

State of emergency declared on 20 June 1989. Still  
force.

the  
Disappearances

Sources: Notifications of the Government to the Secretary-General of the United Nations dated 21 and 23 May 1984 and 13 January and 18 August 1989; letter from the Government dated 11 April 1991; Report of Working Group on Enforced or Involuntary (E/CN.4/1992/18/Add.1, paras. 60-72 and 195).

report,  
report,

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 41 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Third doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 24; Fourth doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Sudan:\*

States of emergency proclaimed on 6 April 1985, 25 July 1987 and 30 June 1989. Still in force.

1991;  
Committee,  
information

Sources: Notification of the Government to the United Nations Secretary-General dated 13 February 1991; report of Sudan submitted to the Human Rights Committee, dated 15 February 1991 (doc. CCPR/C/45/Add.3); received from non-governmental organizations.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para. 30 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Suriname:

State of emergency was in force from August 1980 to 25 February 1986. On 1 December 1986, state of emergency was proclaimed in the eastern part of the country. Terminated on 1 September 1989.

December 1986  
1991;  
organizations.

Sources: Letters from the Government dated 5  
(reproduced in doc. A/41/958), 13 March and 24 June  
information received from non-governmental  
(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,  
paras. 27, 40 and annex I; Second report,  
doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18 and 22;  
Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Syrian Arab Republic:\*  
in State of emergency proclaimed on 8 March 1963. Still  
force.

Sources: Information received from non-governmental  
organizations. The Special Rapporteur awaits more  
information to be submitted by the Government.  
(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1,  
para. 30 and annex I; Second report,  
doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Fourth  
report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Tajikistan:  
region. In July 1989, a curfew was introduced in Isfara  
On 12 February 1990, a state of emergency was  
declared in the capital, Dushanbe. Lifted on 29 June 1991.  
On 23 September 1991, a state of emergency was  
introduced throughout the republic. Lifted on 30 September  
1991.

Sources: Notification of the Government of the USSR  
to the United Nations Secretary-General dated 23 March 1990;  
organizations information received from non-governmental  
and published in the press.  
(Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para.  
21;  
Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.  
12).

State of emergency proclaimed and a curfew introduced

on

5 May 1992. Lifted on 7 May 1992.

of

detailed

and

Sources: Information published in the press. In a letter dated 19 May 1992, addressed to the Government of Tajikistan, the Special Rapporteur requested more information regarding the emergency measures taken and their impact on human rights.



Thailand: Martial law introduced on 23 February 1991. Lifted on 3 May 1991.

Sources: Statement by the observer for Thailand at the forty-third session of the Sub-Commission, on 22 August 1991; information published in the press.

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

para. 12).

Bangkok

In May 1992, a state of emergency was introduced in and surrounding provinces for a short period of time.

Sources: Information published in the press. In a letter dated 19 May 1992, addressed to the Government

of

detailed

and

Thailand, the Special Rapporteur requested more information regarding the emergency measures taken their impact on human rights.

capital of Togo:

In April 1991, a curfew was introduced in Lomé, the republic.

to be

Sources: Information published in the press. The Special Rapporteur awaits more precise information

submitted by the Government.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Trinidad and Tobago:  
of

State of emergency proclaimed on 28 July 1990. On 10 August 1990, it was extended for a further period

90 days.

Sources: Notification of the Government to the Secretary-General of the United Nations dated 15 August 1990.

para. 12).

(Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1,

Turkey:\*  
in

Martial law, which was introduced on 26 December 1978

1985, it

13 provinces, was proclaimed throughout the entire territory on 12 September 1980. As at 1 January

martial law

was in force in 34 provinces. By 19 July 1987

was lifted throughout the country. In 1985-1987, in certain provinces, martial law was replaced by a

state of  
in

emergency which is currently in force in 10 provinces  
south-east Anatolia.

1987,  
received

Sources: Letters from the Government dated 9 June  
19 July 1988 and 15 February 1991; information  
from non-governmental organizations.

report,  
 report,  
 (First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, paras. 27, 39, 43 and annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, para. 18; Third doc. E/CN.4/Sub.2/1989/30/Rev.2, para. 21; Fourth doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

Uganda:  
 been  
 the  
 The existence of a de facto state of emergency has reported, related particularly to the application of Public Order and Security Act of 1967.

Sources: Information received from a non-governmental organization. The Special Rapporteur awaits more precise information to be submitted by the Government.

United Kingdom  
 Since 1974, a public emergency exists relating to the affairs of Northern Ireland.

of Great Britain and Northern Ireland:\*  
 1989;  
 documents:  
 para. 18).  
Sources: Notification of the Government to the United Nations Secretary-General dated 23 December 1988; communication from the Government received by the Secretary-General on 18 December reports to the Human Rights Committee (latest CCPR/C/58/Add.6, paras. 57-60; CCPR/C/58/Add.12,

para. 18;  
 21;  
 12).  
 (Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, para. Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para.

United States  
 in  
 some  
 States of emergency proclaimed and/or curfew imposed Los Angeles, San Francisco, Las Vegas, Atlanta and other places for short periods at the end of April-beginning of May 1992.

letter  
 United  
Sources: Information published in the press. In a dated 18 May 1992 addressed to the Government of the States, the Special Rapporteur requested more

detailed  
and

information regarding the emergency measures taken  
their impact on human rights. 5/

Uzbekistan:

On 4 June 1989, a curfew was introduced in several  
townships of Fergana district.

non-governmental  
submitted

Sources: Information received from a  
organization and published in the press. The Special  
Rapporteur awaits more precise information to be  
by the Government.

Venezuela:  
constitutional

Emergency measures and suspension of certain guarantees were decreed on 28 February 1989.

were  
On 22 March 1989, all the constitutional safeguards re-established.

Sources: Notifications of the Government to the United Nations Secretary-General dated 17 and 31 March 1989; letters from the Government dated 3 and 18 April 1989 and 7 December 1990.

paras. 21  
(Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, and 24; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

were  
restoration of  
decree  
On 4 February 1992, certain constitutional guarantees suspended. On 13 February 1992, a partial previously suspended guarantees was decreed. By a dated 9 April 1992, the President of the Republic has restored all constitutional guarantees.

February  
Sources: Notifications of the Government to the United Nations Secretary-General dated 4 and 21 and 24 April 1992; letter from the Government dated 11 February 1992.

Yugoslavia:\*  
suspension of  
the  
emergency  
lifted.

On 28 March 1989, special measures involving freedoms of assembly and movement were introduced in province of Kosovo. On 18 April 1990, all the measures in the territory of the province were

Sources: Notifications of the Government to the United Nations Secretary-General dated 14 April 1989, 29 May 1989, 19 March 1990 and 24 April 1990.

paras. 21  
(Third report, doc. E/CN.4/Sub.2/1989/30/Rev.2, and 24; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

threat  
On 18 October 1991, the "existence of an immediate of war" was established by the decision of the

Presidency

of the SFRY throughout the territory of the country.

newly  
found  
moment

Sources: Letters from the Government dated 18 and 21 February 1992. Except for Slovenia, the other emerged States of Croatia and Bosnia-Herzegovina have themselves in a de facto state of emergency at the moment of their transition to independence.

Zaire: In a letter dated 28 October 1991, addressed to the Government of Zaire, the Special Rapporteur requested more detailed information regarding the emergency measures taken in connection with September riots in the country, and their impact on human rights. (Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

A non-governmental source later advised the Special Rapporteur that those measures did not constitute a state of emergency and were of very short duration. The Special Rapporteur therefore awaits more precise information to be submitted by the Government.

Zambia: State of emergency introduced on 27 July 1964. Lifted in 1991.

Source: Information received from a non-governmental organization. The Special Rapporteur awaits more precise information to be submitted by the Government.

Zimbabwe: State of emergency, which has been in force since November 1965, was lifted on 25 July 1990.

Sources: Letters from the Government dated 23 March and 12 July 1988; information received from non-governmental organizations.

(First report, doc. E/CN.4/Sub.2/1987/19/Rev.1, para. 30 and Annex I; Second report, doc. E/CN.4/Sub.2/1988/18/Rev.1, paras. 18, 26 and 35 and annex I; Fourth report, doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12).

13. The Special Rapporteur is aware of the possibility that the existence of a state of emergency in other countries might not have come to his knowledge and trusts that the cooperation of States and intergovernmental and non-governmental organizations in the procedure being applied will soon enable him to give a full account of the situation worldwide.

## II. OBSERVATIONS AND COMMENTS

14. Among the many comments that might be made regarding the preceding list, we shall begin with the finding that we consider the most obvious and significant: the geographical diversity, the breadth and the extent of the phenomenon of states of emergency. From 1985 to the present (the period covered by the Special Rapporteur's mandate), 80 States, i.e. nearly half of the States making up the United Nations system, have been obliged to adopt emergency measures to deal with crisis situations. Countries with long democratic traditions and institutional stability, such as Canada, Venezuela and the United States of America, have not been spared this situation, and thus are included in the long list of countries that have had to proclaim a state of emergency to meet a crisis and restore normality.

15. Another genuinely surprising observation is what is happening in this area to a large number of the republics that made up the former Soviet Union. Most of them are currently under emergency regimes and nearly all of the republics acceded to independence in very critical situations that led to the adoption of emergency measures. This circumstance, disturbing in itself, should be examined in the context of a rapidly shifting political context and an extremely fragile and unclear juridical context. In fact, none of those newly born States has a body of domestic legislation adapted to the international norms governing the legality of states of emergency.

16. This lack had already been pointed out to the Special Rapporteur by the authorities of the former Soviet Union themselves, who stressed at the time the importance of receiving technical assistance in the framework of the advisory services provided by the United Nations. To date none of the newly independent States has revised its legislation in this area, but some have already announced their intention of making changes, such as the reformulation of the Constitution of Armenia. This is a very encouraging development since it provides the new authorities with the opportunity to introduce substantial reforms, not only at the institutional level but also in the human rights sphere, and to strengthen the protection of human rights during periods of



crisis or emergency.

17. The need to set precise limits in order to prevent abuse of emergency measures is clearly expressed as one of the central concerns of the final document that was adopted in Moscow last autumn in the form of recommendations.

18. At this Meeting which, was held from 10 September to 4 October 1991, the representatives of the participating States of the Conference on Security and Cooperation in Europe (CSCE) approved a Document which contains, in its paragraphs 28 to 28.10, a number of provisions relating to the state of public emergency.

19. The Special Rapporteur wishes to indicate that all the basic principles and criteria concerning the legality of the state of emergency in international law, which had been formulated in his previous reports, were fully confirmed in the Document of the Moscow Meeting. Thus, the Document contains provisions relating, inter alia, to the principles of proclamation and legality (para. 28.2), the principle of exceptional threat (para. 28.1), the principle of proportionality (para. 28.7), and the principle of non-discrimination. The principle of notification is reflected in paragraph 28.10 of the Document which provides for the obligation of a participating State, when a state of public emergency is declared or lifted, to immediately inform the appropriate CSCE institution of this decision.

20. The full text of the above-mentioned paragraphs of the Moscow Meeting Document is reproduced in annex I.

III. RECOMMENDATIONS

regimes  
the lack  
Rights  
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services  
advisory

21. Regarding the situation created by the proliferation of emergency regimes in the countries that made up the former Soviet Union, and especially the lack of appropriate juridical norms on this question, the Commission on Human Rights should invite the States concerned to request advisory services from the United Nations Centre for Human Rights at Geneva. A few countries, such as Romania, have already availed themselves of these services very profitably, and the Special Rapporteur has had the opportunity to provide advisory services in this field during the preparatory activities for the constitutional reform. Under similar circumstances, although on another continent, advisory services were provided by the Special Rapporteur to the Governments of Colombia and Paraguay during their respective constitutional reforms.

breadth  
his  
Commission  
forthcoming

22. Similarly, bearing in mind what was stated earlier concerning the breadth of states of emergency, and especially the various observations made in his four previous reports, the Special Rapporteur recommends that the Commission on Human Rights should propose the inclusion in the agenda of the forthcoming World Conference on Human Rights of an item entitled "Strengthening of protection of human rights during states of emergency".

IV. ACTION UNDERTAKEN BY THE SPECIAL RAPPORTEUR UNDER  
THE PROCEDURE ESTABLISHED IN HIS WORKING METHOD

A. Emergency communication system

23. Further speeding up the procedure of consultation of the sources authorized under his mandate (Governments, non-governmental and intergovernmental organizations, etc.), whenever the Special Rapporteur has learned, generally through the international press, of the adoption by a Government of emergency measures involving prima facie restriction of the exercise of human rights (partial suspension of the Constitution, curfew, etc.) he has immediately addressed that Government, through the Secretary-General, requesting specific and detailed information on the nature effect of the measures in force, the legal basis for them and, above all, the they are having or have had on human rights in general.

24. This was the procedure followed in the case of recent events in Sierra Leone, Thailand, the United States of America and some of the newly independent States which made up the former Soviet Union.

1. Former Union of Soviet Socialist Republics

25. The action taken by the Special Rapporteur in connection with the events are it was Sub-Commission Union note to on the which took place in the former Soviet Union from 19 to 22 August 1991 described in detail in annex II. Briefly, it should be recalled that during the forty-third session of the Sub-Commission, while the was meeting, that the failed coup d'état attempt in the former Soviet Union took place. On that occasion, the Special Rapporteur sent an urgent the de facto authorities requesting, in particular, precise information the legality of the measures adopted and their impact on human rights.

26. A few days later, once the attempted coup d'état had been put down, the observer delegation of the Soviet Union informed the Sub-Commission of the course of events and thanked the experts for their determination and the promptness with which they had considered the question. At the forty-eighth session of the Commission on Human Rights, the head of the delegation of the Russian Federation said, in particular, that the problem of guaranteeing human rights in emergency situations was of special significance in his country and observed: "We appreciate the efforts by the Special Rapporteur on human rights and states of emergency to make the

protection of human rights under any circumstances more effective." The delegation expressed its concern with regard to the ongoing practice of declaring a state of emergency or of quasi-emergency in certain regions

of the

former Soviet Union and stated: "The absence of up-dated and detailed information on such a state declared in these regions constitutes an infringement of the International Covenant on Civil and Political Rights

and

it precludes [assessing] the level and volume of the limitations imposed

upon

human rights. The experience of many countries, including our own, has manifested the danger of disregard of such breaches of law."

## 2. Peru

27. It should be noted that the system of immediate consultations with Governments, as soon as news of the establishment of a state of emergency is received, through a letter from the Special Rapporteur to the respective accredited missions at Geneva, has not only brought earlier replies in most cases but in others has led the Permanent Representatives to telephone the Special Rapporteur to advise him of the course of events and the contents of the future reply. Such was the attitude of the Permanent Mission of Peru which, in a gesture of cooperation worthy of note, informed the Special Rapporteur of the various measures taken upon and following the dissolution of the parliament and the partial suspension of the Constitution on 5 April 1992.

28. The Special Rapporteur was thus able to follow events with a great variety of information sources at his disposal: on the one hand, non-official information, reporting the great number of human rights violations that an event of this type can entail and indicating cause for alarm at the seriousness of the precedent being established, and, on the other, the official information, stating the Government's will to redirect the country towards legality and democracy. Given such a censurable event as a breach of the institutional order, the Special Rapporteur cannot but welcome the attitude shown by the Peruvian delegation at the latest meeting of the Ministers for Foreign Affairs of the Organization of American States, which took place early last May. On that occasion, OAS unanimously adopted a resolution under which the Government of Peru promised to call constituent elections in five months' time. The new assembly, in addition to amending the Constitution, will be empowered to legislate and to monitor action by the executive.

### B. Correction to the list of States included in the fourth annual report: Republic of Korea

29. In the list of States contained in his fourth revised report, the Special Rapporteur has included a reference to the "emergency measures taken in connection with street riots in the capital of the Republic of Korea, caused by clashes between students and the police" (doc. E/CN.4/Sub.2/1991/28/Rev.1, para. 12). In a letter dated 30 January 1992, addressed to the Centre for Human Rights, the Permanent Mission of the

a Republic of Korea stated that the Korean Government had never introduced  
state of emergency during the period beginning 1 January 1985.

30. The Special Rapporteur has therefore deleted the name of the  
Republic of Korea from the list of States which have proclaimed, extended or  
terminated a state of emergency. He would like to express his appreciation to the  
Government of the Republic of Korea for its cooperation.

C. Information concerning Ethiopia

Ababa 31. The Special Rapporteur can only regret the failure of the Addis  
authorities to send either a reply or further information concerning the  
events reported in his fourth annual report relating to the existence  
of a de facto state of emergency in Ethiopia. Thus, the only information  
available

to him is from non-governmental sources. It is worth noting in this connection that it was the non-governmental organizations which informed the Special Rapporteur that a genuine atmosphere of cooperation in the area of human rights was being achieved with the new authorities, for which reason the Special Rapporteur considers it desirable to encourage the Government in this direction.

D. Information concerning the territories occupied by Israel

32. In accordance with the methods and procedures applied by the Special Rapporteur, a summary table of the information received with regard to the territories occupied by Israel was transmitted, on 5 December 1990, to the Government of Israel in order to obtain its reaction and comments. In a letter dated 28 May 1991, the Government of Israel stated, inter alia, that

"the administration by Israel of Judea-Samaria is based on the relevant rules and principles of international law concerning the administration of territory, which are not necessarily the same as those relating to states of emergency in municipal systems. The draft submitted, which is said to be based on information received from a number of non-governmental organisations, does not differentiate these two cases. Failure to draw this distinction is a serious methodological and legal flaw and inevitably leads to a distorted and inaccurate picture being presented. The final revision of the document ought to take this fully into account."

33. However, no further information regarding the emergency legislation in force in the occupied territories which could be of some assistance to the Special Rapporteur in his final revision of the document, has been received from the Government of Israel.

E. Letter to the African Commission on Human and Peoples' Rights

34. In order to procure a new and reliable source of information on compliance by States with internal and international rules guaranteeing the



legality of the introduction of a state of emergency, the Special Rapporteur addressed, on 26 May 1992, a letter to the President of the African Commission on Human and Peoples' Rights.

35. The attention of the Commission was drawn to the fact that among 22 African States included in the list in the fourth revised report (E/CN.4/Sub.2/1991/28/Rev.1), only seven countries have so far sent notifications to the United Nations Secretary-General or otherwise provided written information containing details of the state of emergency, the nature of the emergency measures taken and their impact on human rights. With regard to the other 15 States, the Special Rapporteur had to draw up and update his list solely on the basis of information published in the press and/or received from non-governmental organizations. The Special Rapporteur therefore sought the cooperation of the African Commission on Human and Peoples' Rights in order to obtain the most recent and accurate information possible with regard to those 15 States as well as other countries of the continent which may have taken emergency measures.

36. The Special Rapporteur has also expressed his wish to establish contacts with the African Commission in order to learn more about its work, in particular with regard to its activities relating to the protection of human rights in periods of emergency.

F. Database on states of emergency

37. In paragraph 10 of its resolution 1991/18, the Sub-Commission encouraged the Special Rapporteur to undertake contacts and consultations with appropriate technical institutions and experts with a view to facilitating the receipt, storage and retrieval of information relating to his mandate.

38. Pursuant to this provision, the Special Rapporteur has organized, in cooperation with the Centre for Human Rights, a consultation of experts on the question of establishing a database on states of emergency which was held on 25 February 1992 at the Palais des Nations at Geneva.

39. Participants in the meeting were representatives of several international organizations and academic institutions 6/ competent in the field of computerized data processing. Discussions were held on such issues as methods of data collection, the choice of language for entries, form and contents of possible computerized databases, their potential users and their development, as well as modalities for organizing and financing a permanent database and its location and management. The participants were made acquainted with a database feasibility study undertaken by a team in the Law Faculty of Queen's University of Belfast. In the opinion of the Special Rapporteur, this important work, which is still to be completed, deserves support and encouragement.

40. Various views were expressed and proposals put forward regarding the many practical problems associated with establishing an internationally accessible database. Emphasis was placed on the necessity for the development by the Centre for Human Rights of its own general database on human rights, of which states of emergency could be a component.

41. The Special Rapporteur considered that this meeting of experts was extremely useful from the point of view of his future activities relating to

the implementation of his mandate. He fully supports the proposal to convene, late in 1992 or early in 1993, an international conference of interested bodies to decide on the future organization and location of any permanent database.

G. Guidelines for national legislation

42. The Special Rapporteur has received and continues to receive extremely valuable and pertinent observations, from both governmental and non-governmental sources, concerning the draft "Guidelines for the development of legislation on states of emergency", and hopes to be in a position to present in his next reports much fuller draft guidelines than those contained in his fourth annual report.

H. Non-derogable rights

43. Somewhat similar comments might be made concerning paragraph 8 of Sub-Commission resolution 1991/18, which requests the Special Rapporteur to examine the question of non-derogable rights, i.e. those from which there can be no derogation whatsoever, whatever the cause or gravity of the emergency. In view of the complexity of this topic, the Special Rapporteur has planned to meet at Geneva, in mid-March 1993, with a group of specialists in the field, for the purpose of improving the contents of his next report.

Notes

1/ Subsequently, by its resolution 1987/25, the Sub-Commission decided to examine this issue, as a matter of high priority, under the agenda item "The administration of justice and the human rights of detainees: (b) Question of human rights and states of emergency".

2/ In drawing up this list, the Special Rapporteur also took into account those countries which have and apply ordinary legislation empowering the executive to adopt emergency measures (such as administrative or ministerial detention for long periods) without the need for official proclamation of a state of emergency in order to do so.

3/ In a letter dated 20 November 1991, the Permanent Mission of Haiti in Geneva stated that it "... does not maintain any contacts with the 'de facto' authorities installed by the putschists on 30 September", and therefore it was not in a position to provide the Special Rapporteur with any official texts of this Government.

4/ In the same report (para. 168), the Working Group of Experts referred also to the information received from a non-governmental organization, according to which the Public Safety Act of 1953 had been invoked on 24 August 1990, whereby a total of 36 magisterial districts, encompassing 52 black townships, were declared "unrest areas". Of these, 15 remain under this restriction. "Unrest areas" are, in reality, mini-"states of emergency" and the corresponding regulations include:

(i) Detention without trial;

(ii) Curfew and other restrictions on movement;

(iii) Prohibition of gatherings (for example, in May 1991, open-air gatherings in "unrest areas" were prohibited for two weeks under the Unrest Regulations).

States  
of America, inter alia, stated that

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understood  
of human  
rights.

"... the actions taken in response to the recent civil disturbances in several U.S. cities did not constitute a 'public emergency' within the meaning of article 4 of the International Covenant on Civil and Political Rights, or a 'state of emergency'; to the extent that term is understood in international law as implying a derogation from or suspension of human rights.

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and

"In particular, the actions did not purport to and in fact did not affect: the right to life; the prohibition against torture and inhuman or degrading treatment or punishment; the prohibition against slavery and servitude; the right to freedom of thought, conscience, religion; and other non-derogable rights. Nor did the actions purport to and in fact affect the rights of criminal defendants concerning protection from arbitrary arrest and detention, judicial oversight of arrest and detention, and other criminal procedure safeguards.

be  
Rights,  
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"To the extent that the actions taken in instituting curfews may be deemed to concern the right to liberty of movement guaranteed by article 12 of the International Covenant on Civil and Political Rights, we note that the limited actions taken were within the scope of the right as defined in article 12, in that they were pursuant to and within the limits of relevant law, clearly justified and necessary to protect the public order, and consistent with the continued enjoyment and protection of other rights."

It was further explained by the Government that

local  
derogate

"most actions in response to the civil disturbances were taken by local authorities. They did not purport to, and in fact could not derogate from rights guaranteed by the Constitution or federal law.

'major

"At the national level, the President declared the existence of a

disaster'. This declaration has the function of making certain  
federal assistance available and has no bearing on the enjoyment of human  
rights."

6/ Among them were the Office of the United Nations High  
Commissioner for Refugees, Amnesty International, Article 19, Human Rights Advocates,  
the International Commission of Jurists, the Lawyers Committee for Human  
Rights, the International Committee of the Red Cross and Queen's University of  
Belfast.

Annex I

EXCERPTS FROM THE DOCUMENT OF THE MOSCOW MEETING OF THE  
CONFERENCE ON THE HUMAN DIMENSION OF THE CONFERENCE ON  
SECURITY AND COOPERATION IN EUROPE\*

(28.1) The participating States reaffirm that a state of public emergency is justified only by the most exceptional and grave circumstances, consistent with the State's international obligations and CSCE commitments. A state of public emergency may not be used to subvert the democratic constitutional order, nor aim at the destruction of internationally recognized human rights and fundamental freedoms. If recourse to force cannot be avoided, its use must be reasonable and limited as far as possible.

(28.2) A state of public emergency may be proclaimed only by a constitutionally lawful body, duly empowered to do so. In cases where the decision to impose a state of public emergency may be lawfully taken by the executive authorities, that decision should be subject to approval in the shortest possible time or to control by the legislature.

(28.3) The decision to impose a state of public emergency will be proclaimed officially, publicly, and in accordance with provisions laid down by law. The decision will, where possible, lay down territorial limits of a state of public emergency. The State concerned will make available to its citizens information, without delay, about which measures have been taken. The state of public emergency will be lifted as soon as possible and will not remain in force longer than strictly required by the exigencies of the situation.

(28.4) A de facto imposition or continuation of a state of emergency not in accordance with provisions laid down by law is not permissible.

(28.5) The participating States will endeavour to ensure that the normal



the functioning of the legislative bodies will be guaranteed to  
highest possible extent during a state of public emergency.  
(28.6) The participating States confirm that any derogation from  
obligations relating to human rights and fundamental freedoms  
during a state of public emergency must remain strictly within the  
limits provided for by international law, in particular the relevant  
international instruments by which they are bound, especially  
with respect to rights from which there can be no derogation.

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\* See chapter II, paras. 17-20 above.

(28.7) The participating States will endeavour to refrain from making derogations from those obligations from which, according to international conventions to which they are parties, possible under a state of emergency. Measures derogating from such obligations must be taken in strict conformity with the requirements laid down in those instruments. Such measures will neither go further nor remain in force longer than strictly required by the exigencies of the situation; they are by nature exceptional and should be interpreted and applied with restraint. Such measures will not discriminate solely on the grounds of race, colour, sex, language, religion, social origin or of belonging to a minority.

(28.8) The participating States will endeavour to ensure that the legal guarantees necessary to uphold the rule of law will remain in force during a state of public emergency. They will endeavour to provide in their law for control over the regulations related to the state of public emergency, as well as the implementation of such regulations.

(28.9) The participating States will endeavour to maintain freedom of expression and freedom of information, consistent with their international obligations and commitments, with a view to enabling public discussion on the observance of human rights and fundamental freedoms as well as on the lifting of the state of public emergency. They will, in conformity with international standards regarding the freedom of expression, take no measures aimed at barring journalists from the legitimate exercise of their profession other than those strictly required by the exigencies of the situation.

(28.10) When a state of public emergency is declared or lifted in a participating State, the State concerned will immediately inform the CSCE Institution\*\* of this decision, as well as of any derogation made from the State's international human rights obligations. The

delay.

Institution will inform the other participating States without

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\*\* The Council will take the decision on the institution.

Annex II

EVENTS ACTION TAKEN BY THE SPECIAL RAPPORTEUR IN CONNECTION WITH THE WHICH TOOK PLACE IN THE UNION OF SOVIET SOCIALIST REPUBLICS FROM 19 TO 22 AUGUST 1991\*

In his capacity as special rapporteur on the question of human rights and states of emergency, the Special Rapporteur sent a letter to the Minister for Foreign Affairs of the Union of Soviet Socialist Republics, on 20 August 1991, immediately after having learnt, through news reports, of the declaration of a state of emergency for six months in some parts of the Union of Soviet Socialist Republics by the newly established State Committee for the Emergency Situation.

In this letter, the Special Rapporteur indicated that his mandate was to examine questions of compliance by States with internal and international rules guaranteeing the legality of the introduction of a state of emergency and to study the impact of emergency measures on human rights he also noted that, thanks to the cooperation of the Government of the Soviet Union, he had been able to inform the United Nations Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities in a full and complete manner concerning previous states of emergency in the Soviet Union. In the present case, given the breadth of the most recent measures, the Special Rapporteur thought that it would be extremely useful for the Sub-Commission to have the fullest and most complete information possible when it came to the examination of his report later that week.

The Special Rapporteur therefore felt that it would be most helpful if the Government of the Union of Soviet Socialist Republics could inform him urgently and precisely of the following facts relating to the state of emergency: (1) the title and date of adoption of the decree, law or any other official act of proclamation, extension or termination; (2) which organ of the Union of Soviet Socialist Republics' government has adopted the act;

(3) whether this act has been adopted in conformity with the Law concerning States of Emergency adopted by the Union of Soviet Socialist Republics' Supreme Soviet in 1990; (4) whether notification has been given to the Secretary-General of the United Nations; (5) the expected duration or date of termination of the state of emergency; (6) the territorial coverage; (7) the grounds invoked in law and in fact; (8) the measures adopted in law and in fact; (9) the rights concerned under internal law (rights granted by the Constitution, the law, case law, etc.) and under international law (relevant articles of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights).

Several days later, before the conclusion of the forty-third session of the Sub-Commission and after the re-establishment of the constitutional authorities in the USSR, the observer for the Union of Soviet Socialist Republics, read out a message from his Government in reply to the

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\* See also chapter IV, paras. 25 and 26 above.

(3) of Special Rapporteur's letter. The message stated that under article 127 of the Constitution of the USSR and article 2 of the USSR State of Emergency Act, a state of emergency might be proclaimed in the territory of the USSR by the President of the USSR at the request of, or with the agreement of, the Presidium of the Supreme Soviet or the highest organ of State power of the constituent republic concerned. Violating that legislation, the former Vice-President of the USSR, the Prime Minister of the USSR, the Chairman of the KGB, the Ministers of Defence and of the Interior of the USSR and others had removed Mr. Gorbachev from the post of President of the USSR and had declared a state of emergency for six months in unspecified parts of the USSR. In addition, they had formed an unconstitutional body, the so-called State Committee for the Emergency Situation, for which no provision is made in the Constitution of the USSR, the State of Emergency Act, or any other lawfully elected executive powers of the USSR had been paralysed. The criminal coup d'état had been stopped as a result of the decisive action taken by the President of the Russian Soviet Federative Socialist Republic, Mr. Yeltsin, the Supreme Soviet and the Council of Ministers of the Russian Federation, the people of Moscow and Leningrad, and of the principled position adopted by a number of Union republics in defence of democracy and constitutional order.

During the time when the President of the USSR had been removed from power in violation of the Constitution of the USSR, the President of the Russian Federation had led the struggle against the unconstitutional State Committee for the Emergency Situation. He had issued orders repealing the decisions of that Committee and had assumed full power within the territory of the Republic.

After the suppression of the coup d'état and Mr. Gorbachev's return to power on 22 August 1991, the latter had promulgated a decree cancelling the unconstitutional orders issued by the organizers of the coup d'état. In his decree the President of the USSR had repealed all decisions taken by the State Committee for the State of Emergency or any of its members, removed all

members of that State Committee from their posts, and announced that the Procurator-General of the USSR had instituted criminal proceedings against persons who had participated in the conspiracy and that an investigation was being carried out jointly by the competent organs of the USSR and of the Russian Federation. In addition, on 22 August, the Committee on Legislation and Law and Order of the Supreme Soviet of the USSR had handed down a legal assessment of the documents of the State Committee for the Emergency Situation.

It was added that further information would be provided to the Special Rapporteur when the investigation had been completed.

The Special Rapporteur expressed particular thanks to the Government of the Union of Soviet Socialist Republics for its continued willingness to cooperate with him in carrying out his mandate. \*\*

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\*\* See summary record of this meeting of the Sub-Commission, E/CN.4/Sub.2/1991/SR.36/Add.1.

Annex III

LIST OF REPLIES RECEIVED\*

A. Governments

	Haiti	20 November 1991
1991;	Peru	1 and 23 October; 4 and 13 November 15, 21, 23 and 27 January; 16, 18 and 27 March and 3 April 1992
	United States of America	1 June 1992
	Yugoslavia	18 and 21 February 1992

B. Non-governmental organizations

	Amnesty International	26 February and 10 March 1992
	International Federation of Human Rights	13 May 1992

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\* Since November 1991, when the fourth revised report was issued (E/CN.4/Sub.2/1991/28/Rev.1).



Annex IV

## LIST OF SPECIALIZED PUBLICATIONS RECEIVED FROM

AMNESTY INTERNATIONAL

## AFRICA

1991	<u>Cameroon</u>	Human rights developments during the first half of 1991 (AI Index: AFR 17/07/91)	September
1991	<u>Cameroon</u>	Torture and ill-treatment (AI Index: AFR 17/09/91)	November
	<u>Ethiopia</u>	End of an era of brutal repression - a new chance for human rights (AI Index: AFR 25/05/91)	May 1991
1991	<u>Kenya</u>	Kenneth Matiba, A prisoner of conscience (AI Index: AFR 32/05/91)	February
1991	<u>Kenya</u>	Charles Rubia, A prisoner of conscience (AI Index: AFR 32/06/91)	February
1991	<u>Kenya</u>	Raila Odinga, A prisoner of conscience (AI Index: AFR 32/07/91)	February
	<u>Niger</u>	Summary of Amnesty International's concerns in 1991 (AI Index: AFR 43/01/91)	October 1991
	<u>Rwanda</u>	Amnesty International's concerns since the beginning of an insurgency in October 1990 (AI Index: AFR 47/05/91)	March 1991
	<u>South Africa</u>	Human rights violations and the security forces - a problem of accountability (AI Index: AFR 53/14/91)	April 1991
	<u>South Africa</u>	Statement by Amnesty International to the United Nations Ad Hoc Working Group of Experts on southern Africa (AI Index: AFR 53/27/91)	July 1991
	<u>South Africa</u>	Oral statement by Amnesty International to the United Nations Commission on Human Rights at its	January 1992

forty-eighth session  
(AI Index: AFR 53/03/92)

## AMERICAS

<u>Haiti</u>	The human rights tragedy - Human rights violations since the coup (AI Index: AMR 36/03/92)	January 1992
<u>Peru</u>	Eight years of "disappearances" (AI Index: AMR 46/36/91)	July 1991
<u>Peru</u>	Mass human rights violations continue under new government (AI Index: AMR 46/37/91)	July 1991
<u>Peru</u>	Human rights in a climate of terror (AI Index: AMR 46/56/91)	November 1991

## ASIA

<u>Banladesh</u>	Human rights safeguards (AI Index: ASA 13/02/91)	March 1991
<u>Cambodia</u>	Killings of demonstrators (AI Index: ASA 23/01/92)	January 1992
<u>India</u>	Human rights violations in Punjab: use and abuse of the law (AI Index: ASA 20/11/91)	May 1991
<u>Macao</u>	Strengthening human rights safeguards Memorandum from Amnesty International to the Basic Law Drafting Committee (AI Index: ASA 27/01/91)	November 1991
<u>Malaysia</u>	"Rehabilitation" of communists (AI Index: ASA 28/01/91)	April 1991
<u>Malaysia</u>	Administrative detention of Sabahans (AI Index: ASA 28/08/91)	October 1991
<u>Myanmar</u>	Arrests and trials of political prisoners (AI Index: ASA 16/19/91)	January-July December 1991
<u>Myanmar</u>	A long-term human rights crisis (AI Index: ASA 16/03/92)	January 1992
<u>Sri Lanka</u>	Amnesty International's current concerns in Sri Lanka (AI Index: ASA 37/07/91)	March 1991
<u>Sri Lanka</u>	Summary of human rights concerns	January 1992

1991

during 1991  
(AI Index: ASA 37/01/92

## EUROPE

Turkey Measures of Repression in Payamli Village, Southeast Turkey July 1991  
(AI Index: EUR 44/88/91)

1991

Turkey Amnesty International's principal September  
concerns in respect of Turkey's new  
Anti-Terror Law  
(AI Index: EUR 44/129/91)

Turkey Solitary confinement for political October 1991  
prisoners  
(AI Index: EUR 44/156/91)

1991

United Kingdom Recent allegations of ill-treatment September  
in Northern Ireland  
(AI Index: EUR 45/11/91)

United Kingdom Allegations of ill-treatment in November 1991  
Northern Ireland  
(AI Index: EUR 45/19/91)

USSR Recent allegations of ill-treatment by August 1991  
law enforcement officials in the  
Republic of Azerbaydzan  
(AI Index: EUR 46/53/91)

## MIDDLE EAST

1991

Egypt Summary of Amnesty International's September  
concerns in 1991  
(AI Index: MDE 12/27/91)

Egypt Ten years of torture October 1991  
(AI Index: MDE 12/18/91)

Egypt Security police detentions undermine January 1992  
the rule of law  
(AI Index: MDE 12/01/92)

Israel and the Occupied Territories Oral statement to the United Nations January 1992  
Commission on Human Rights on the  
Israeli Occupied Territories  
(AI Index: MDE 15/04/92)

Jordan Amnesty International's concerns in June 1991  
Jordan  
(AI Index: MDE 16/02/91)