UNITED
NATIONS



Economic and Social Council

Distr. LIMITED

E/CN.4/1999/L.34/Rev.1 21 April 1999

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS Fifty-fifth session Agenda item 9

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Bulgaria*, Canada, Germany, Hungary*, Liechtenstein*, Lithuania*, Luxembourg, Morocco, Netherlands*, Portugal*, Romania, Slovakia*, Slovenia*, Spain*, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

1999/... <u>The situation of human rights in the Federal Republic of Yuqoslavia (Serbia and Montenegro), the Republic of Croatia and Bosnia and Herzegovina</u>

The Commission on Human Rights,

Recalling all relevant resolutions on this subject, in particular its own resolution 1998/79 of 22 April 1998, as well as all relevant resolutions and statements of the Security Council,

Expressing its full support for the General Framework for Peace in Bosnia and Herzegovina (the "Framework Agreement") and the annexes thereto (together, the "Peace Agreement") which, inter alia, committed the parties in Bosnia and Herzegovina to respect fully human rights, and for the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,

GE.99-12673 (E)

^{*} In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Reaffirming the territorial integrity of all States in the region, within their internationally recognized borders,

<u>Taking note</u> of the reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), together, the countries of the mandate,

Taking note also of the final decision of 5 March 1999 of the Arbitration Tribunal on Brcko and noting the obligation of the Federation and Republika Srpska entities of Bosnia and Herzegovina to implement the award fully, including with respect to enabling minority refugee returns in both entities,

<u>Expressing its appreciation</u> for the ongoing important work of the Office of the United Nations High Commissioner for Human Rights and its field operation in the region,

Shocked and horrified by ongoing massacres and other brutal repressive measures committed by Serbian security and paramilitary forces in Kosovo with the intent of ethnic cleansing, in clear violation of international human rights standards and international humanitarian law and resulting in the loss of lives and a massive humanitarian tragedy affecting the entire region,

<u>Mindful</u> in this context that development of early warning procedures to identify patterns of gross and persistent violations of human rights in a systematic way could contribute to conflict prevention and the full enjoyment of all human rights by all,

I. <u>Introduction</u>

- 1. <u>Stresses</u> once again the crucial role that progress in promoting and protecting human rights has to play in the success of the Peace Agreement and underlines the obligations of the parties under the Framework Agreement to secure for all persons within their jurisdiction the highest level of international norms and standards of human rights and fundamental freedoms;
- 2. <u>Stresses</u> the need to focus international human rights efforts in the countries of the mandate on the core problems of:
- (a) Lack of full respect for the human rights of all individuals, without any distinction;
- (b) Massive forced expulsions and obstruction of return of refugees and displaced persons to their homes in safety and in dignity, and return to them of property and occupancy rights of which they were deprived;

- (c) Lack of resources for capacity-building in the areas of rule of law and administration of justice, and lack of independence of the judiciary;
- (d) Lack of respect for the freedoms of expression and association and for the freedom and independence of the media;
- (e) Continuing obstruction of the work of the International Criminal Tribunal for the Former Yugoslavia (the Tribunal);
 - (f) Missing persons;
- 3. Appeals once more to the international community to support such efforts in the promotion and protection of human rights and insists that the parties act to promote and prxotect democratic institutions of government, the rule of law and effective administration of justice at all levels in their respective countries, to ensure further freedom of expression and of the media, to allow and encourage freedom of association, including with respect to political parties, to provide appropriate protection and assistance to refugees and displaced persons until they are able to return to their homes in safety and in dignity and to foster a culture of respect for human rights;
- 4. Requests the High Commissioner for Human Rights and the Secretary-General to take concerted action with the assistance of the international community to develop early-warning procedures in the field of human rights with a view to identifying situations that could lead to conflict or humanitarian tragedy, and requests the High Commissioner and the Secretary-General to report to the Commission on Human Rights at its fifty-sixth session on their efforts;

II. Federal Republic of Yugoslavia (Serbia and Montenegro)

- 5. Expresses its grave concern at the ongoing serious violations of human rights and the deteriorating human rights and humanitarian situation in the Federal Republic of Yugoslavia (Serbia and Montenegro) caused by the repressive policies and measures of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) at all levels, including the highest leaders, and also of authorities at all levels in Serbia;
- 6. <u>Condemns</u> the continued repression of the independent media, the passage of the Serbian Law on Public Information and, in particular, the slaying of Mr. Slavko Curuvija, publisher and director of the Belgrade <u>Dnevni Telegraf</u>, and also the forcible closing of independent newspapers and radio stations;

- 7. Regrets that the Federal Republic of Yugoslavia (Serbia and Montenegro) has not complied with the recommendations of the Personal Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe regarding fostering democracy and the rule of law;
- 8. <u>Also regrets</u> the express refusal of the Federal Republic of Yugoslavia (Serbia and Montenegro) to allow a visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions;
- 9. <u>Calls upon</u> authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro):
- (a) To comply with all previous resolutions of the Commission and with the recommendations contained in the reports of the Special Rapporteur and to cooperate with other relevant mechanisms of the Commission;
- (b) To comply fully with its obligation to cooperate with the International Criminal Tribunal for the Former Yugoslavia;
- (c) To institutionalize democratic norms of governence, especially in regard to respect for the principle of free and fair elections, the rule of law, the administration of justice, the promotion and protection of free and independent media and full respect for human rights and fundamental freedoms, and calls upon the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) specifically to repeal repressive laws on universities and the media;
- (d) To end torture and other cruel, inhuman or degrading treatment or punishment of persons in detention, as documented in the reports of the Special Rapporteur and other reports, and to bring those responsible to justice;
- (e) To repeal the 1989 Serbian Law on Special Conditions for Real Property Transactions and the 1998 Serbian Law on Public Information and to apply all other legislation without discrimination;
- (f) To respect the rights of all persons belonging to minority groups, especially in the Sandjak and Vojvodina, including the Hungarian and Croatian national minorities, and equally of persons belonging to the Bulgarian national minority, and to support the unconditional return of the long-term missions of the Organization for Security and Cooperation in Europe, as called for by the Security Council in its resolutions 855 (1993) of 9 August 1993 and 1160 (1998) of 31 March 1998;

- 10. <u>Welcomes</u> positive developments in Montenegro with regard to the democratic process, in particular to the freedom of the media and to the efforts to give shelter to Kosovars;
- 11. <u>Also welcomes</u> the selection by the Office of the High Commissioner for Human Rights of nine organizations from civil society to participate in the Assisting Communities Together Programme;
 - 12. <u>Calls upon</u> the international community:
- (a) To help the countries of the mandate establish appropriate safeguards to ensure the security and fair treatment upon return of those who sought temporary protection and asylum, including appropriate measures by Governments, such as legal guarantees and follow-up mechanisms, to ensure the right of all those persons to return to their homes in the Federal Republic of Yugoslavia (Serbia and Montenegro) in safety and dignity;
- (b) To continue to support existing national democratic forces and non-governmental organizations in their efforts to build a civil society and achieve multi-party democracy in the Federal Republic of Yugoslavia (Serbia and Montenegro), and to provide resources for capacity-building in the administration of justice;

III. <u>Kosovo</u>

- 13. <u>Calls upon</u> the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), especially its President and the political leadership:
- (a) To ensure a verifiable stop to all military action and the immediate ending of violence and repression against the civilian population of Kosovo;
- (b) To ensure the withdrawal from Kosovo of all military, Ministry of Interior police and paramilitary forces;
- (c) To agree to the stationing of an international military peacekeeping presence;
- (d) To agree to the voluntary, unconditional return of all intrnally displaced persons and refugees in safety and dignity and provide unhindered access to them by humanitarian aid organizations;
- (e) To work, on the basis of the Rambouillet Accords, on the establishment of a political framework agreement for Kosovo, in conformity with international law and the Charter of the United Nations;

- 14. <u>Condemns</u> the grave, horrendous and ongoing war crimes and abuses of human rights in Kosovo, especially the violent repression of non-violent expression of political views, systematic terrorization of ethnic Albanians and others, torture, deaths in detention, summary executions and illegal detention of ethnic Albanian citizens, widespread destruction of homes, property and villages, and systematic targeting of the civilian population of Kosovo by Serbian forces, resulting in mass forced displacement, expulsion, rape and harsh living conditions of the civilian population, as well as the harassment, intimidation and closure of independent media outlets in Kosovo by the Serbian authorities;
- against the civilian population of Kosovo in recent weeks, which has led to further ethnic cleansing in the region, massacres and gross violations of international human rights and international humanitarian law inflicted upon the Kosovars, including destruction of personal identity documents, records, further destruction of houses and property, as well as agricultural capacity, with the aim of preventing their return, deplores the recent discovery of mass graves and condemns harassment and obstruction of humanitarian aid delivery from any quarter;
- 16. <u>Underscores</u> the grave concern of Member States regarding ethnic cleansing, war crimes and crimes against humanity;
- 17. <u>Condemns</u> abuses by elements of the Kosovo Liberation Army, in particular killings in violation of international humanitarian law, enforced disappearances and abduction and detention of Serbian police, as well as Serb and Albanian civilians;
- 18. <u>Emphasizes</u> that those found responsible for serious violations of international humanitarian law, other war crimes and crimes against humanity will be held accountable by the international community and will not escape justice;
- 19. <u>Insists</u> that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the ethnic Albanian leadership in Kosovo condemn acts of terrorism, refrain from all acts of violence, encourage the pursuit of political ends through peaceful means, act with respect for the rights and dignity of all persons belonging to minority groups and respect international human rights standards and international humanitarian law;

- 20. Also insists that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) implement a ceasefire, demilitarize the province and cooperate with the implementation force as demanded by the contact group, respect the democratic process and act immediately to make possible the establishment of genuine democratic self-governance in Kosovo, especially by acceptance of a settlement on the basis of the Rambouillet Accords, with representatives of the ethnic Albanian community, and ensure that all the residents of the region are guaranteed equal treatment and protection regardless of ethnic affiliation, and calls upon all individuals or groups in Kosovo to resolve the crisis there through peaceful means;
- 21. <u>Insists</u> that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro):
- (a) Take immediate action, in view of the escalating violence in Kosovo, to put an end to the continuing repression of and prevent violence against the ethnic Albanian population and other communities living in Kosovo, as well as to end torture, beatings, brutality, warrantless searches, arbitrary detention, unfair trials and arbitrary, unjustified evictions and dismissals, large-scale demolition of houses and scorched earth tactics;
- (b) Release all political detainees, allow the right to voluntary return in safety and dignity of all refugees and displaced persons to Kosovo and respect fully all human rights and fundamental freedoms, including freedom of the press, including the Albanian-language media, freedom of expression or assembly, freedom of movement and freedom from discrimination in the field of education and information and, in particular, improve the situation of ethnic Albanian women and children;
 - (c) Allow the establishment of democratic institutions in Kosovo;
- (d) Abide by its international obligations under common article 3 of the Geneva Conventions;
- (e) Cooperate with international humanitarian organizations in dealing with the issue of missing persons in Kosovo and also ensure that non-governmental organizations may operate freely without harassment or unduly burdensome requirements;
- 22. <u>Welcomes</u> the recent initiative of the High Commissioner for Human Rights to investigate human rights violations and atrocities committed in Kosovo, and requests that the Special Rapporteur, the Personal Representative

of the High Commissioner for Human Rights and the Office of the
High Commissioner for Human Rights investigative teams cooperate to the extent
appropriate with the international bodies charged with bringing those
responsible for these crimes to justice;

- 23. <u>Calls upon</u> the authorities in Belgrade to work closely with and support the mission to Kosovo of the personal representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe;
- 24. <u>Emphasizes once again</u> that improvement in the promotion and protection of human rights and fundamental freedoms in Kosovo, as well as in the rest of its territory, will assist the Federal Republic of Yugoslavia (Serbia and Montenegro) in establishing a full range of relations with the international community;
- 25. Expresses grave concern over the overwhelming humanitarian crisis in Kosovo and the forced expulsion of hundreds of thousands of Kosovar Albanians, which has placed a massive burden on the surrounding countries, calls upon the international community to take immediate efforts to relieve this burden, expresses its appreciation to those countries that have offered assistance or that have offered to accept refugees, commends the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations for their response to this crisis and encouratges the international community to strengthen its actions, especially in the field of coordination of all humanitarian efforts;

IV. Republic of Croatia

- 26. Welcomes the cooperation of the Government of the Republic of Croatia with the Special Rapporteur and takes note of the request of the Government of the Republic of Croatia for technical cooperation and assistance programmes and of the positive response thereto by the United Nations High Commissioner for Human Rights, urges the Government and the Office of the High Commissioner for Human Rights to conclude an agreement as soon as possible and looks forward to the effects of those programmes on the situation of human rights and the rule of law;
- 27. <u>Calls upon</u> the Government of the Republic of Croatia to undertake greater efforts to adhere to democratic principles including through legislation and implementation of electoral reform and to continue its efforts

to attain the highest level of compliance with international norms and standards of human rights and fundamental freedoms, in particular the rights of persons belonging to minority groups, especially by:

- (a) Full and fair implementation of its Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons and programme for the reconstruction of war-affected settlements and its earlier Programme on the Establishment of Confidence, Acceleration of Return and Normalization of Life in the War-affected Areas and continuing cooperation with the United Nations High Commissioner for Refugees, with the civilian police monitors in Croatia mandated by the Organization for Security and Cooperation in Europe and with other relevant organizations to that end, as well as by dialogue and cooperation between the Government of the Republic of Croatia and the Government of Bosnia and Herzegovina and through it with the Republika Srpska;
- (b) Full cooperation with and implementation of the recommendations of the international organizations operating in the Republic of Croatia, in particular the Office of the High Commissioner for Human Rights and the Organization for Security and Cooperation in Europe operations in Eastern Slavonia, Baranja and Western Sirmium and in former United Nations protected areas, especially by respecting the human rights, including the property rights, of all and:
 - (i) Ending incidents of harassment, looting and physical attacks against displaced Serbs and other minorities, and speedily arresting those committing or instigating such acts aimed at preventing the return of Croatian Serbs or others to their homes and, in particular, fully investigating allegations of individual involvement by Croatian police or members of the military, whether on or off duty;
 - (ii) Ensuring the non-discriminatory application of the amnesty law and by developing and strengthening all possible measures for confidence building, including by providing regular information to the International Criminal Tribunal for the Former Yugoslavia about domestic war crimes prosecutions;

- (iii) Ending any form of discrimination by Croatian authorities in the areas of property rights, documentation of citizenship and identity, employment, education, pension and health care, among others;
- (c) Respecting freedom of association and of the press, including by taking concrete steps to allow for the establishment of independent media and full access by the opposition to State electronic media channels and, in particular, by ceasing harassment of free and independent media;
- (d) Respecting the right of non-governmental organizations to operate without restrictions, and welcomes in this regard the establishment of a government office for cooperation with non-governmental organizations and a continuation of this dialogue;
- (e) Undertaking serious judicial reform and guaranteeing the independence of the judiciary;
- (f) Within the context of obligations undertaken with the Council of Europe and the Organization for Security and Cooperation in Europe, pursuit of the equal application of the law to all citizens, irrespective of ethnicity, religion or political affiliation, the swift and complete implementation of judicial decisions and implementation of the European Convention for the Protection of Human Rights and Fundamental Freedoms in all governmental practices;
- (g) Continuing to fulfil the rights and guarantees pledged in its letter of 13 January 1997 (S/1997/27), <u>inter alia</u> the pledge to guarantee representation of Serbs at various levels of local, regional and national government;
- (h) Continuing its cooperation with the Special Rapporteur and complying with all his recommendations and cooperating also with the Croatian Ombudsman:
- 28. Endorses the recommendations of the Special Rapporteur (E/CN.4/1999/42, paras. 72-78) in particular that:
 - (a) The Government foster the return of Serbs to their former homes;
- (b) The judiciary be provided with adequate resources and court proceedings be open to the public;
 - (c) Labour rights cases be promptly and fairly resolved;
- (d) Affirmative measures be taken to improve the representation of women in decision-making positions;

- (e) Due attention be paid to the importance of free political debate in a democratic society;
 - 29. <u>Calls upon</u> the international community:
- (a) To support the involvement of the High Commissioner for Human Rights in human rights monitoring in the region of Eastern Slavonia, in close cooperation with other international organizations and in close consultation with the Government of the Republic of Croatia;
- (b) To continue to provide for an international presence, as recommended by the Special Rapporteur, through support of initiatives advanced by the High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe, the Council of Europe, the European Community Monitoring Mission and other international organizations, including the programme of technical cooperation envisaged by the Office of the High Commissioner for Human Rights;

V. Bosnia and Herzegovina

- 30. <u>Takes note</u> of the progress made in some areas of Bosnia and Herzegovina in implementation of the Peace Agreement and improvement in respect for human rights, and commends the High Representative in this regard;
- 31. <u>Expresses its serious concern</u> about continuing human rights violations within Bosnia and Herzegovina and continuing obstruction of the full implementation of the human rights provisions of the Peace Agreement;
- 32. <u>Emphasizes once more</u> that the primary responsibility for ensuring the progressive achievement of democratic goals and building a tolerant, multi-ethnic society lies with the people of Bosnia and Herzegovina, in particular through the central Government and the governments of both entities, as well as through, <u>inter alia</u>, municipal and cantonal authorities, religious communities, humanitarian organizations and non-governmental organizations;
- 33. <u>Underlines</u> the obligation of the authorities of Bosnia and Herzegovina at all levels to implement the arbitration decision for Brcko and the recommendations and decisions of the High Representative and the decisions of the Commission on Human Rights for Bosnia and Herzegovina and its two parts, the Office of the Ombudsman and the Human Rights Chamber, and the decisions of the Commission on Real Property Claims of Displaced Persons;
- 34. <u>Calls upon</u> all parties to cease obstruction of the work of the common institutions of Bosnia and Herzegovina;

- 35. Condemns in the strongest terms the intimidation and perpetration of violence against minority refugees and internally displaced persons returning to their homes, the destruction of their homes and all other acts designed to discourage their voluntary return, and calls for the authorities to conduct vigorous investigations to determine responsibility for such acts and to ensure that the perpetrators are brought to justice;
- 36. <u>Calls upon</u>, in this context, officials of Bosnia and Herzegovina, including those of the Republika Srpska and the Federation, to cooperate with relevant international humanitarian agencies and their neighbours to facilitate such voluntary returns;
- 37. <u>Endorses</u> the recommendations of the Special Rapporteur (E/CN.4/1999/42, paras. 29-35), especially that:
- (a) Authorities and political leaders cease undermining efforts to ensure the right to return and, to that end, that divisions along ethnic lines be eliminated, manipulation of returnees and displaced persons be stopped and high priority given to the situation of "floaters" in Banja Luka and other municipalities in the Republika Srpska;
- (b) Local actors, including non-governmental organizations, should be more involved in human rights work;
- 38. <u>Emphasizes</u> the views of the General Assembly, contained in paragraphs 18 and 19 of its resolution 53/163, concerning the voluntary return of refugees and internally displaced persons and on cooperation with the Office of the High Representative, the Commission for Real Property Claims of Displaced Persons and the Office of the United Nations High Commissioner for Refugees;

VI. International Criminal Tribunal for the Former Yugoslavia

Agreement, especially the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to meet their obligations to cooperate fully with the Tribunal, noting that there is no valid constitutional or statutory reason for failure to cooperate, and urges all States and the Secretary-General to support the Tribunal to the fullest extent possible, in particular by helping to ensure that persons indicted by the Tribunal stand trial before it and by continuing to make available to the Tribunal, as a matter of urgency, adequate resources to aid in the fulfilment of its mandate;

- 40. <u>Calls upon</u> all indicted persons to surrender voluntarily to the custody of the Tribunal, as required by the Peace Agreement;
- 41. <u>Welcomes</u> the decision by the Prime Minister of the Republika Srpska to allow the Tribunal to open an office in Banja Luka and urges the government of the Republika Srpska to fulfil its clear legal obligations, including full cooperation with the Tribunal as it has promised;
- 42. <u>Urges</u> all parties, including the Government of the Republic of Croatia, to respect the "rules of the road", agreed in Rome on 18 February 1996, including through submission of cases to the Prosecutor of the Tribunal under the "rules of the road";
- 43. <u>Urgently calls once again upon</u> the competent authorities in Bosnia and Herzegovina, including those of the Federation and in particular in the Republika Srpska, and the Governments of the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to apprehend and surrender for prosecution all persons indicted by the Tribunal, as required by Security Council resolution 827 (1993) and the statement by the President of the Security Council on 8 May 1996;
- 44. <u>Notes with dismay</u> that the large majority of those indictees still at large, including Radovan Karadzic, Ratko Mladic and Milan Martic, appear to be living in the Republika Srpska or the Federal Republic of Yugoslavia (Serbia and Montenegro) while Zeljko Raznatovic, known as "Arkan" and the "Vukovar three" are known to be present in the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro);
- 45. Stresses the evidence that the most senior leaders of the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) are responsible for the continuing refusal of the Federal Republic of Yugoslavia (Serbia and Montenegro) to meet its obligations to cooperate with the Tribunal and demands that the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) comply with their obligation to cooperate with the Tribunal, including with regard to events in Kosovo, on the basis of resolution 1160 (1998) of the Security Council and all its subsequent resolutions on the subject, including 1207 (1998), and commends the Office of the Prosecutor of the Tribunal for its efforts to gather information relating to the violence in Kosovo;

- 46. <u>Demands</u>, in accordance with Security Council resolution 827 (1993) and the Statute of the International Criminal Tribunal for the former Yugoslavia, that the Federal Republic of Yugoslavia (Serbia and Montenegro) cooperate fully with the International Criminal Tribunal for the former Yugoslavia and, in particular, permit immediate access to all parts of the Federal Republic of Yugoslavia (Serbia and Montenegro) including Kosovo, including by the prompt issuance of requested visas to officials of the Tribunal to conduct investigations into atrocities there and for any other purpose allowed under the Tribunal's Statute;
- 47. <u>Urges</u> all parties in the region to respect the primacy of the Tribunal in all cases of war crimes, crimes against humanity, genocide and grave breaches of the Geneva Conventions, and condemns the extra-legal proceedings undertaken by the Federal Republic of Yugoslavia (Serbia and Montenegro) against the "Vukovar three";
- 48. <u>Calls upon</u> the international community to give the Tribunal every appropriate help to bring into custody suspects indicted by it;

VII. <u>Missing persons</u>

- 49. Expresses its satisfaction with the progress made in the exhumation of remains and the identification of missing persons, particularly in Bosnia and Herzegovina, but stresses that further progress and assistance of the international community in all aspects, particularly with technical and financial resources, is required;
- 50. <u>Welcomes</u> the increased level of cooperation in the joint exhumation process in Bosnia and Herzegovina with the Office of the High Representative and the International Commission on Missing Persons in the Former Yugoslavia and urges that the cooperation continue;
- 51. <u>Insists</u> that the Federal Republic of Yugoslavia (Serbia and Montenegro) authorities and Kosovar Albanians cooperate with international humanitarian organizations in dealing with the issue of missing persons in Kosovo;

VIII. Special Rapporteur

52. Takes note with appreciation of the report of the Special Rapporteur (E/CN.4/1999/42);

- 53. <u>Decides</u> to renew for one year the mandate of the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro);
- 54. Requests the Special Rapporteur, in addition to the activities mandated in its resolutions 1994/72, 1996/71 and 1997/57:
- (a) To work vigorously in support of the initiative of the High Commissioner for Human Rights to investigate human rights violations and atrocities committed in Kosovo;
- (b) To pay particular attention to discrimination against persons belonging to ethnic minorities and displaced persons, refugees and returnees who fall within his mandate, with specific reference to their economic, social and cultural rights;
- (c) To address human rights issues that transcend the borders between the States covered by his mandate and which can be addressed only through concerted action in more than one country;
- (d) To work with the High Commissioner for Human Rights on behalf of the United Nations in dealing with the question of missing persons and to include in his report to the Commission information about activities concerning missing persons in the former Yugoslavia;
 - 55. Requests that the Special Rapporteur carry out missions to:
 - (a) Bosnia and Herzegovina, including the Republika Srpska;
- (b) The Republic of Croatia, including Eastern Slavonia, Baranja and Western Sirmium;
- (c) The Federal Republic of Yugoslavia (Serbia and Montenegro), including to Kosovo, as well as to Sandjak and Vojvodina;
- 56. Requests the Special Rapporteur to report to the Commission at its fifty-sixth session on the work carried out in fulfilment of his mandate, and to make interim reports as appropriate about his work in support of the Kosovo initiative of the High Commissioner for Human Rights, and to present interim reports to the General Assembly at its fifty-fourth session;
- 57. Requests the Secretary-General to continue to make the Special Rapporteur's reports available to the Security Council, to the Organization for Security and Cooperation in Europe and to other international organizations concerned with human rights and humanitarian questions;

58. <u>Urges</u> the Secretary-General, within existing resources, to make all necessary resources available for the Special Rapporteur to carry out his mandate successfully and, in particular, to provide him with adequate staff based in those territories to ensure effective continuous monitoring of the human rights situation in the countries of the mandate and coordination with other international organizations involved.
