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COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Agenda item 11

CIVIL AND POLITICAL RIGHTS

Argentina, Bulgaria*, Canada, Cape Verde, Chile,
Costa Rica*, Cuba, Denmark*, Dominican Republic*,
Ecuador, Estonia*, Finland*, France, Germany, Italy,
Madagascar, Netherlands*, Philippines, Poland,
Portugal*, South Africa, Sweden*, Uruguay and
Venezuela: draft resolution

1999/... The right to restitution, compensation and rehabilitation
for victims of grave violations of human rights and
fundamental freedoms

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration
of Human Rights, the International Covenants on Human Rights, other relevant
human rights instruments and the Vienna Declaration and Programme of Action,

Reaffirming that, pursuant to internationally proclaimed human rights
principles, victims of grave violations of human rights should receive, in
appropriate cases, restitution, compensation and rehabilitation,

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

Reiterating the importance of addressing the question of restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms in a systematic and thorough way at the national and international levels,

Recalling its resolution 1996/35 of 19 April 1996, in which it regarded the basic principles and guidelines on the right to redress of victims of grave violations of human rights and international humanitarian law, proposed by Mr. Theo van Boven, as a useful basis for giving priority attention to the question of restitution, compensation and rehabilitation,

Taking note with appreciation of the Secretary-General's note (E/CN.4/1999/53) submitted in compliance with Commission resolution 1998/43 of 17 April 1998,

Also taking note with appreciation of the report of the independent expert appointed by the Commission (E/CN.4/1999/65),

1. Notes with satisfaction the positive experience of countries that have established policies and adopted legislation on restitution, compensation and rehabilitation for victims of grave violations of human rights;

2. Calls upon the international community to give due attention to the right to restitution, compensation and rehabilitation for victims of grave violations of human rights;

3. Requests the Secretary-General to invite States and intergovernmental and non-governmental organizations to collaborate with the independent expert appointed by the Commission and assist him in the performance of his task;

4. Requests the independent expert to complete his work and submit to the Commission at its fifty-sixth session, in accordance with the instructions issued by the Commission in its resolution 1998/43, a revised version of the basic principles and guidelines prepared by Mr. van Boven (E/CN.4/1997/104), taking into account the views and comments of States and of intergovernmental and non-governmental organizations;

5. Decides to continue its consideration of this matter at its fifty-sixth session under the agenda sub-item entitled "Independence of the judiciary, administration of justice, impunity".
