

Distr.
LIMITED

E/CN.4/1993/L.15
17 February 1993

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS
APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN
DOMINATION OR FOREIGN OCCUPATION

Argentina, Australia, Austria, Canada, France, Germany, Indonesia,
Malaysia, Netherlands, New Zealand*, Norway*, Philippines*,
Republic of Korea, Singapore*, Sweden*, Thailand* and
United States of America: draft resolution

1993/... Situation of human rights in Cambodia

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations,
the Universal Declaration of Human Rights and the International Covenants on
Human Rights,

Recalling its decision 1992/102 of 21 February 1992,

Bearing in mind the role and responsibilities of the United Nations and
the international community in the process of the rehabilitation and
reconstruction of Cambodia, which will continue after the transitional period,

Recognizing that Cambodia's tragic recent history requires special
measures to assure the protection of human rights and the non-return to the
policies and practices of the past,

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

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict signed on 23 October 1991, including Part III relating to human rights,

Noting the decision to hold elections in Cambodia from 23 to 25 May 1993, and the consequent ending, three months thereafter, of the mandate of the United Nations Transitional Authority in Cambodia,

Welcoming the signature by Cambodia on 20 April 1992 of the International Covenants on Human Rights and its accession on 20 September 1992 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention relating to the Status of Refugees and the Protocol thereto,

Noting the summary and proposals contained in the report on the International Symposium on Human Rights held in Phnom Penh from 30 November to 2 December 1992 (E/CN.4/1993/19/Add.1),

Welcoming the establishment of the Trust Fund for the Programme in Human Rights Education for Cambodia, which calls for intensive collaboration between United Nations and non-governmental organizations active in the field of human rights,

1. Takes note with appreciation of the report of the Secretary-General (E/CN.4/1993/19);

2. Requests the Secretary-General to ensure a continued United Nations human rights presence in Cambodia after the expiry of the mandate of the United Nations Transitional Authority in Cambodia, including through the operational presence of the Centre for Human Rights, in order to:

(a) Manage the implementation of educational and technical assistance and advisory services programmes and to ensure their continuation;

(b) Assist the Government of Cambodia established after the election, at its request, in meeting its obligations under the human rights instruments recently acceded to, including the preparation of reports to the relevant monitoring committees;

(c) Provide support to bona fide human rights groups in Cambodia;

(d) Contribute to the creation and/or strengthening of national institutions for the promotion and protection of human rights;

(e) Continue to assist with the drafting and implementation of legislation to promote and protect human rights;

(f) Continue to assist with the training of persons responsible for the administration of justice;

3. Recognizes the constraints on the financial resources of the Centre for Human Rights;

4. Requests the Secretary-General to provide appropriate additional resources, within existing overall United Nations resources, to fund the operational presence of the Centre for Human Rights within the framework of other United Nations activities in Cambodia after the expiry of the mandate of the United Nations Transitional Authority in Cambodia;

5. Strongly urges Governments and interested organizations to consider contributing to the Trust Fund for the programme in Human Rights Education for Cambodia;

6. Requests the Secretary-General to appoint a special representative to:

(a) Maintain contact with the Government and people of Cambodia;

(b) Guide and coordinate the United Nations human rights presence in Cambodia;

(c) Assist the Government in the promotion and protection of human rights;

(d) Report to the General Assembly at its forty-eighth session and the Commission on Human Rights at its fiftieth session under the agenda item entitled "Advisory services in the field of human rights";

7. Decides to review the respective programmes and mandates set out in the present resolution at its fifty-first session;

8. Requests the Secretary-General to communicate the contents of the present resolution to, and seek the consent and cooperation of, the newly elected Government of Cambodia to facilitate the tasks of the Special Representative and the Centre for Human Rights in the fulfilment of their respective mandates.

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