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COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT

Burundi, Cameroon*, Ethiopia*, Gambia, Kenya, Lesotho,
Nigeria, Senegal*, Tunisia, United Republic of Tanzania*
and Zimbabwe*: draft resolution

1993/... Human Rights in the administration of justice

The Commission on Human Rights,

Recalling its resolution 1992/31 of 28 February 1992, in which it stressed the desirability of providing States, at their request, with continued assistance in the field of administration of justice,

Recalling also its resolution 1992/52 of 3 March 1992 on regional arrangements for the promotion and protection of human rights,

Welcoming resolution AFRM/14 on the administration of justice and human rights adopted on 6 November 1992 by the Regional Meeting for Africa of the World Conference on Human Rights,

Emphasizing the principle of the indivisibility and interdependence of all human rights and fundamental freedoms,

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

Bearing in mind that the validity and universality of human rights must be promoted and protected by all,

Reaffirming the primary responsibility of all Governments to ensure respect for human rights and fundamental freedoms,

Aware that any effective system or method of promoting and protecting human rights should take into account the historical, cultural and traditional peculiarities of each society,

Recognizing that the rule of law and proper administration of justice are prerequisites for sustainable economic and social development,

Recognizing also the central role of the administration of justice in the promotion and protection of human rights,

Aware of the importance of national and regional intergovernmental human rights bodies and institutions in the promotion and protection of human rights,

1. Emphasizes that civil and political rights cannot be separated from economic, social and cultural rights or from rights embodied in other international instruments on human rights;

2. Reaffirms the standards set forth in the International Bill of Human Rights, the African Charter on Human and People's Rights and other international and regional human rights instruments;

3. Acknowledges that it is the primary responsibility of all Governments to promote and protect human rights;

4. Commends the considerable efforts of African and other developing countries to improve the administration of justice and to promote and protect human rights notwithstanding the limited financial and material resources at their disposal;

5. Urges Governments to pay more attention to the needs of the institutions concerned with the administration of justice by allocating more resources to them;

6. Also urges Governments to strengthen the existing national and regional human rights institutions, particularly in developing countries, to enable them to contribute more actively to the promotion and protection of human rights;

7. Appeals to Governments to include in their national development plans the administration of justice as an integral part of the development

process and to allocate adequate resources for the provision of legal aid services with a view to the promotion and protection of human rights;

8. Appeals to the international community to provide assistance for the provision of legal aid services with a view to ensuring the promotion, protection and full enjoyment of human rights in Africa and other developing countries;

9. Invites the international community to respond favourably to requests for financial and technical assistance made by institutions concerned with the promotion and protection of human rights in African and other developing countries with a view to enhancing and strengthening their national capacities to promote and protect human rights consistent with the standards set forth in international and other human rights instruments;

10. Commends those developed countries that have over the years given financial assistance to the United Nations programme of advisory services and technical cooperation in the field of human rights, and appeals to them to consider increasing their assistance;

11. Urges the Secretary-General to consider favourably applications for assistance made by African Member States and other developing countries regarding the creation and strengthening of national institutions concerned with the administration of justice within the framework of the United Nations programme of advisory services and technical cooperation in the field of human rights.
