

Distr.
LIMITED

E/CN.4/1993/L.94
8 March 1993

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR
REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES
AND TERRITORIES

Australia, Bulgaria, Burundi, Canada, Costa Rica, Cyprus,
Finland, Gambia, Germany, Greece*, Hungary*, Italy*, Japan,
Jordan*, Mauritania, New Zealand*, Norway*, Philippines*,
Poland, Russian Federation, Switzerland*, United Kingdom
of Great Britain and Northern Ireland, United States
of America and Zambia: draft resolution

1993/... Human rights and mass exoduses

The Commission on Human Rights,

Mindful of its general humanitarian mandate under the Charter of the
United Nations to promote and encourage respect for human rights and
fundamental freedoms,

Noting that the report of the Secretary-General entitled "An Agenda for
Peace" (A/47/277) identifies the protection of human rights as an important
element of peace, security and economic well-being and highlights the
importance of preventive diplomacy,

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

GE.93-11857 (E)

Deeply disturbed by the continuing scale and magnitude of exoduses of refugees and displacements of population in many regions of the world and by the human suffering of millions of refugees and displaced persons,

Deeply preoccupied by the increasingly heavy burden being imposed, particularly upon developing countries with limited resources of their own, by these sudden displacements of population,

Recalling General Assembly resolution 44/164 of 15 December 1989, in which the Assembly reaffirmed its support for the recommendation of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees that the principal organs of the United Nations should make fuller use of their respective competencies under the Charter of the United Nations for the prevention of new massive flows of refugees and displaced persons,

Recalling also its resolution 1992/63 of 3 March 1992 and its previous relevant resolutions, as well as those of the General Assembly,

Noting with interest that the Secretary-General, in An Agenda for Peace identifies the linkage between preventive diplomacy and humanitarian assistance, and recognizes that preventive diplomacy requires an early warning capacity,

Noting also that the Secretary-General, in his report on strengthening of the coordination of humanitarian emergency assistance of the United Nations (A/47/595), states that in complex emergencies, humanitarian assistance is essential but must be complemented by measures to address the root causes of such emergencies and that the establishment of the Inter-Agency Consultation on Early Warning serves both the purposes of prevention and preparedness,

Noting, that the General Assembly in its resolution 47/105 of 16 December 1992 welcomed the commitment of the High Commissioner for Refugees, bearing in mind her mandate and responsibilities, to explore and undertake activities aimed at preventing conditions that give rise to refugee outflows and encouraged the High Commissioner to continue her efforts to increase cooperation with the Commission on Human Rights, the Centre for Human Rights and relevant organizations,

Conscious of the fact that human rights violations are one of the multiple and complex factors causing mass exoduses of refugees and displaced persons,

Noting that in its resolution 47/105 the General Assembly strongly deplored ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urged States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities,

Recalling that the General Assembly, in its resolution 46/127 of 17 December 1991, invited the Commission to keep the question of human rights and mass exoduses under review with a view to supporting the early-warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons,

1. Invites again all Governments and intergovernmental and humanitarian organizations concerned to intensify their cooperation and assistance in worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and the causes of such exoduses;

2. Welcomes the endorsement by the General Assembly, in its resolution 41/70 of 3 December 1986, of the recommendations and conclusions contained in the report (A/41/324, annex) of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, including, inter alia, the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language;

3. Recalls its resolution 1985/40 of 13 March 1985, and recommends that special rapporteurs, special representatives and working groups studying situations of violation of human rights pay attention to problems resulting in mass exoduses of populations and, where appropriate, to report and make relevant recommendations to the Commission on Human Rights;

4. Requests all United Nations bodies, including the United Nations human rights treaty bodies, the specialized agencies and governmental and informed intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission and in particular to provide them with all relevant and accurate information in their possession on the human

rights situations creating or affecting refugees and displaced persons within their mandates;

5. Notes that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees has specifically acknowledged the direct relationship between observance of human rights standards, refugee movements, problems of protection and solutions;

6. Welcomes the High Commissioner's contributions to the deliberations of international human rights bodies and encourages her to seek ways to make these contributions even more effective;

7. Takes note of General Assembly resolution 46/127, in which the Assembly noted that mass movements of populations were caused by multiple and complex factors;

8. Welcomes the statement made by the United Nations High Commissioner for Refugees at its 50th meeting on 3 March 1993, in which she emphasized the need for early response by the international community to human rights situations which threaten to generate refugees and displaced persons, or which impede their voluntary return;

9. Invites the United Nations High Commissioner for Refugees to address the Commission at its fiftieth session;

10. Encourages States that have not already done so to accede to the 1951 Convention relating to the Status of Refugees and the Protocol thereto of 1967;

11. Urges the Secretary-General to attach a high priority and allocate the necessary resources to the consolidation and strengthening of the system for undertaking early-warning activities in the humanitarian area by, inter alia, the designation of the Department of Humanitarian Affairs as the focal point for early warning in this area and strengthened coordination among relevant offices of the Secretariat concerned with early warning and organizations of the United Nations system, for the purpose of ensuring, inter alia, that effective action is taken to identify human rights abuses which contribute to mass outflows of persons;

12. Welcomes the decision by the Administrative Committee on Coordination to establish a regular United Nations inter-agency early-warning consultation related to possible flows of refugees and displaced persons, based on the sharing and analysis of relevant information between United Nations bodies, and the development of collective recommendations for

action to alleviate, inter alia, the possible causes of new flows of refugees and displaced persons;

13. Also welcomes the decision by the Administrative Committee on Coordination to designate the Department of Humanitarian Affairs as the focal point of the United Nations inter-agency early-warning consultation;

14. Urges the Department of Humanitarian Affairs to take the necessary steps to function effectively as the focal point of the inter-agency early-warning consultation;

15. Further urges all concerned bodies involved in the inter-agency consultation to cooperate fully in, and devote the necessary resources to, the successful operation of the consultation;

16. Requests the Secretary-General to ask Governments, intergovernmental organizations, specialized agencies and non-governmental organizations for information and to prepare, within existing resources, and submit to the Commission at its next session a report outlining the principal developments in the United Nations system with regard to early warning and preventive diplomacy since the issuance of An Agenda for Peace, paying particular attention to early warning and preventive diplomacy in the areas of human rights and humanitarian assistance;

17. Decides to continue its consideration of the question at its fiftieth session under the agenda item "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission" under a sub-item entitled "Human rights, mass exoduses and the displaced".
