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DRAFT REPORT OF THE COMMISSION

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* E/CN.4/1993/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1993/L.11 and addenda.

X. QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR: (a) TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; (b) STATUS OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT; (c) QUESTION OF ENFORCED OR INVOLUNTARY DISAPPEARANCES; (d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

1. The Commission considered agenda item 10 and sub-items (a), (b), (c) and (d) at its 28th to 34th meetings, on 19, 22 and 23 February, at the 37th and 38th meetings, on 24 February 1993, and at its 57th meeting, on 5 March 1993. 2/

2. In relation to agenda item 10, the Commission had before it the following documents:

Letter dated 17 June 1992 from the Chargé d'affaires of the Permanent Mission of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights at its forty-eighth session (E/CN.4/1993/4);

Report of the Secretary-General on human rights and forensic science submitted pursuant to Commission on Human Rights resolution 1992/24 (E/CN.4/1993/20);

Detention of international civil servants and their families: updated report by the Secretary-General prepared pursuant to Commission on Human Rights resolution 1992/26 (E/CN.4/1993/22);

Report of the Working Group on Arbitrary Detention (E/CN.4/1993/24);
Note by the Secretary-General (E/CN.4/1993/27);

Letter dated 29 January 1993 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights (E/CN.4/1993/86);

Letter dated 24 February 1993 from the Permanent Representative of Turkey to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1993/103);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/9);

Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/10);

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/19);

Written statement submitted by the Centre Europe-Tiers Monde, a non-governmental organization on the Roster (E/CN.4/1993/NGO/22).

3. At the 30th meeting, on 22 February 1993, the Chairman/Rapporteur of the Working Group on Arbitrary Detention, Mr. L. Joinet, introduced the report of the Working Group (E/CN.4/1993/24) to the Commission.

4. In the general debate on item 10, statements 3/ were made by the following members of the Commission: Australia (34th), Austria (28th), Brazil (31st), Canada (33rd), Chile (28th and 30th), Colombia (33rd), Cuba (33rd), Cyprus (33rd), Czech Republic (30th), France (30th), India (33rd), Indonesia (34th), Netherlands (33rd), Pakistan (32nd), Poland (33rd), Portugal (34th), Republic of Korea (35th), Russian Federation (32nd), United States of America (33rd).

5. The Commission also heard statements by the observers for: Senegal (28th), Sweden (31st).

6. The observer for Switzerland made a statement (33rd).

7. The observer for the Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna made a statement (31st).

8. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (37th), American Association of Jurists (35th), Amnesty International (29th), Andean Commission of Jurists (35th), Article 19: the International Centre against Censorship (32nd), Arab Lawyers Union (37th), Centre Europe-Tiers Monde (38th), Commission for the Defence of Human Rights in Latin America (37th), France-Libertés: Fondation Danielle Mitterrand (29th), Human Rights Advocates (35th), International Association of Educators for World Peace (35th), International Association against Torture (31st), International Association of Democratic Lawyers (38th), International Commission of Jurists (31st), International Educational Development, Inc. (38th), International Federation for the Protection of the Rights of Ethnic, Religious and Other Minorities (35th), International Federation of Human Rights (35th),

International Federation Terre des Hommes (35th), International Fellowship of Reconciliation (35th), International Human Rights Law Group (31st), International Immigrants Foundation (35th), International Indian Treaty Council (35th), International League for Human Rights (32nd), International League for the Rights and Liberation of Peoples (28th), International Movement for Fraternal Union among Races and Peoples (32nd), International Pen (31st), International Work Group for Indigenous Affairs (32nd), Lawyers Committee for Human Rights (32nd), Liberation (32nd), Movement against Racism and for Friendship among Peoples (32nd), Pax Christi International (35th), Pax Romana (32nd), Service, Peace and Justice in Latin America (32nd), War Amputation of Canada (32nd), World Alliance of Reformed Churches (35th), World Christian Life Community (31st), World Conference on Religion and Peace (38th), World Federation of Trade Unions (37th), World Movement of Mothers (31st), World Muslim Congress (32nd), World Press Freedom Committee (35th), World Organization against Torture (29th), World Social Prospect Association (32nd), World Student Christian Federation (38th), World University Service (38th).

9. Statements in exercise of the right of reply or its equivalent were made by the representatives of Bangladesh (38th), Burundi (30th), China (35th), Cuba (32nd and 38th), Indonesia (41st), the Islamic Republic of Iran (38th), Japan (35th and 38th), Nigeria (32nd), the Syrian Arab Republic (35th), the Sudan (38th) and the United Kingdom of Great Britain and Northern Ireland (35th) and the observers for Azerbaijan (38th), Ethiopia (38th), the Philippines (41st), Rwanda (33rd) and Turkey (33rd).

10. At the 57th meeting, on 5 March 1993, the Commission took up consideration of the draft resolutions and decisions submitted under agenda item 10.

11. On 3 March 1993, a draft resolution (E/CN.4/1993/L.46) had been submitted by Burundi, Cameroon*, Equatorial Guinea*, Ethiopia*, the Gambia, Kenya, Lesotho, Madagascar*, Nigeria, Senegal*, Tunisia, the United Republic of Tanzania* and Zimbabwe reading as follows:

"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,

"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."

12. At the 57th meeting, on 5 March 1993, the representative of Kenya introduced a revised draft resolution (E/CN.4/1993/L.46/Rev.1), sponsored by the same member and observer States as draft resolution E/CN.4/1993/L.46, as well as by Swaziland*.

13. The representative of Kenya orally revised the draft resolution by inserting, in operative paragraph 8, "at the request of the Governments concerned," between the words "assistance" and "for".

14. A statement in connection with the draft resolution as revised was made by the representative of France.

15. The draft resolution, as orally revised, was adopted without a vote.

16. Statements in explanation of their delegation's positions were made by the representatives of France, Indonesia and the Islamic Republic of Iran.

17. For the text as adopted, see chapter II, section A, resolution 1993/32.

18. At the same meeting, the representative of Canada introduced draft resolution E/CN.4/1993/L.48, sponsored by Argentina, Austria, Canada, Chile, Costa Rica, the Czech Republic, France, Poland, the United States of America and Uruguay. Bulgaria, Cyprus, Gambia, Germany, Japan, the Netherlands, Portugal, the Russian Federation, Switzerland* and Zambia subsequently joined the sponsors.

19. The representative of Canada orally revised the draft resolution as follows:

(a) In the eighth preambular paragraph, the words "to the protection of the right to freedom of opinion and expression" between the word "relevance" and the words "of work" were deleted, and the words "has finished first reading and" were inserted between the words "working group" and the words "has commenced";

(b) In operative paragraph 9, the word "particular" between the words "to pay" and the word "attention" was deleted;

(c) In operative paragraph 12, the word "whenever" was replaced by the word "wherever".

20. Statements in connection with the draft resolution were made by the representatives of China, Cuba, the Islamic Republic of Iran, Pakistan and the Syrian Arab Republic.

21. The Commission postponed consideration of draft resolution E/CN.4/1993/L.48.

22. Subsequently at the same meeting, the Commission resumed consideration of draft resolution E/CN.4/1993/L.48. The representative of Canada further orally revised the draft resolution as follows:

(a) In paragraphs 1 and 2, the words "in many parts of the world" between the words "extensive occurrence" and the words "of detention", were deleted;

(b) In operative paragraph 6, the words "in all parts of the world" after the words "in this regard" were deleted;

(c) In operative paragraphs 1, 2 and 18, the words "where applicable" were inserted between the words "of Human Rights" and the words "the International";

(d) In operative paragraph 7, the words "Universal Declaration of Human Rights and, where applicable" were inserted between the words "in the" and the word "International";

(e) In operative paragraphs 9 and 13, the words "as affirmed in the Universal Declaration of Human Rights and, where applicable, the International Covenant on Civil and Political Rights" were added at the end of the paragraphs;

(f) In operative paragraph 12, the words "as affirmed in the Universal Declaration of Human Rights and, where applicable, the International Covenant on Civil and Political Rights," were inserted between the word "opinion," and the words "taking into account".

23. The draft resolution, as orally revised, was adopted without a vote.

24. For the text as adopted, see chapter II, section A, resolution 1993/45.

25. At the same meeting, the representative of the Russian Federation introduced draft resolution E/CN.4/1993/L.49, sponsored by Argentina, the Czech Republic, the Netherlands, Portugal and the Russian Federation.

26. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1993/L.49.

27. The draft resolution was adopted without a vote.

28. For the text as adopted, see chapter II, section A, resolution 1993/33.

29. At the same meeting, the representative of France introduced draft resolution E/CN.4/1993/L.55, sponsored by Argentina, Australia, Austria, Belgium*, Bulgaria*, Burundi, Chile, Costa Rica, Cyprus, the Czech Republic, Finland, France, Hungary*, Ireland, Poland, Portugal, the Russian Federation, Rwanda*, Senegal*, Slovakia*, Sweden*, Switzerland* and the United Kingdom of

Great Britain and Northern Ireland. Germany, Norway*, the Philippines*, Tunisia and the United States of America subsequently joined the sponsors.

30. The representative of France orally revised the draft resolution by replacing, in operative paragraph 11, the words "on action to promote" by the words "concerning the promotion of".

31. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1993/L.55.

32. The draft resolution, as orally revised, was adopted without a vote.

33. For the text as adopted, see chapter II, section A, resolution 1993/36.

34. At the same meeting, the representative of Portugal introduced draft resolution E/CN.4/1993/L.61, sponsored by Austria, Costa Rica, the Czech Republic, France, Greece*, Hungary*, Ireland*, Italy*, Japan, Liechtenstein*, Luxembourg*, the Philippines*, Portugal, Sweden*, and the United Kingdom of Great Britain and Northern Ireland. Australia, Cameroon*, Germany, the Republic of Korea and Slovakia* subsequently joined the sponsors.

35. The representative of Portugal orally revised the draft resolution by inserting, in operative paragraph 5, the word "security," between the words "human rights," and the word "privileges".

36. The draft resolution, as orally revised, was adopted without a vote.

37. For the text as adopted, see chapter II, section A, resolution 1993/39.

38. In view of the adoption of resolution 1993/39 (see paras. 32-35), the Commission took no action on draft resolution VI recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. I, sect. A).

39. At the same meeting, the representative of Austria introduced draft resolution E/CN.4/1993/L.64, sponsored by Australia, Austria, Belgium*, Canada, Costa Rica, Cyprus, the Czech Republic, Denmark*, Finland, France, Germany, Greece*, Hungary*, Italy*, the Netherlands, New Zealand*, Poland, Rwanda*, Spain* and Sweden. Norway* and Slovakia* subsequently joined the sponsors.

40. The draft resolution was adopted without a vote.

41. For the text as adopted, see chapter II, section A, resolution 1993/41.

42. At the 57th meeting, on 5 March 1993, the Commission considered draft resolution IV recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. II, sect. A).

43. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution IV.

44. The draft resolution was adopted without a vote.

45. For the text as adopted, see chapter II, section A, resolution 1993/42.

46. At the same meeting, the Commission considered draft resolution V recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. II, sect. A).

47. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution V.

48. The draft resolution was adopted without a vote.

49. For the text as adopted, see chapter II, section A, resolution 1993/43.

50. At the same meeting, the Commission considered draft resolution VIII recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. II, sect. A).

51. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution VIII.

52. The draft resolution was adopted without a vote.

53. For the text as adopted, see chapter II, section A, resolution 1993/44.

54. At the same meeting, the Commission considered draft decision 3 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. II, sect. B).

55. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft decision 3.

56. The draft decision was adopted without a vote.

57. For the text as adopted, see chapter II, section B, decision 1993/106.

58. At the same meeting, the Commission considered draft decision 8 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. II, sect. B).
59. The draft decision was adopted without a vote.
60. For the text as adopted, see chapter II, section B, decision 1993/107.
61. At the same meeting, the Commission considered draft decision 11 recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. II, sect. B).
62. The draft decision was adopted without a vote.
63. For the text as adopted, see chapter II, section B, decision 1993/108.
- A. Torture and other cruel, inhuman or degrading treatment or punishment
64. In connection with agenda item 10 (a), the Commission had before it the following documents:
- Note by the Secretary-General on the United Nations Voluntary Fund for Victims of Torture (E/CN.4/1993/23 and Add.1 and 2);
- Report of the Special Rapporteur, Mr. P. Kooijmans, pursuant to Commission on Human Rights resolution 1992/32 (E/CN.4/1993/26);
- Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/18);
- Written statement submitted by International Educational Development, Inc., a non-governmental organization on the Roster (E/CN.4/1993/NGO/41).
65. In the general debate on item 10 (a), statements 3/ were made by the following members of the Commission: Australia (34th), Austria (28th), Belgium (30th), Brazil (31st), China (30th), Colombia (33rd), Cuba (34th), Cyprus (33rd), India (33rd), Indonesia (34th), Poland (33rd), Portugal (34th), Republic of Korea (35th), Romania (33rd), United Kingdom of Great Britain and Northern Ireland (33rd), United States of America (30th).
66. The Commission also heard statements by the following observers: Spain (31st), Sweden (31st).
67. A statement was made by the observer for Switzerland (33rd).
68. The Commission also heard statements by the following non-governmental organizations: Africa Association of Education for Development (37th), Amnesty International (29th), Arab Lawyers Union (37th), Commission of the Churches on International Affairs of the World Council of Churches (29th), Four Directions Council (28th), France-Libertés: Fondation Danielle

Miterrand (29th), Grand Council of the Crees (of Quebec) (32nd), Human Rights Advocates (35th), International Association of Democratic Lawyers (38th), International Educational Development, Inc. (38th), International Falcon Movement (38th), International Federation for the Protection of the Rights of Ethnic, Religious and Other Minorities (35th), International Federation of ACAT (Action of Christians for the Abolition of Torture) (38th), International Federation Terres des Hommes (35th), International Immigrants Foundation (35th), International League for the Rights and Liberation of Peoples (28th), National Aboriginal and Islander Legal Service Secretariat (38th), Pax Christi International (35th), Pax Romana (32nd), Women's International League for Peace and Freedom (31st), World Alliance of Reformed Churches (35th), World Conference on Religion and Peace (38th), World Federation of Trade Unions (37th), World Organization against Torture (29th), World University Service (38th).

69. A joint statement was made by the International Council of Jewish Women (28th) on behalf of: Anglican Consultative Council, Baha'i International Community, Coordinating Council of Jewish Organizations, Grand Council of the Crees (of Quebec), International Abolitionist Federation, International Alliance of Women, International Association of Democratic Lawyers, International Council of Women, International Federation of Human Rights, International Federation of University Women, International Federation of Women in Legal Careers, International Federation of Women Lawyers, International Treaty Council, International League for the Right and Liberation of Peoples, International Movement for Fraternal Union among Races and Peoples, Movement against Racism and for Friendship among Peoples, Pan-Pacific and South-East Asia Women's Association, Socialist International Women, Soroptimist International, Women's International League for Peace and Freedom, Women's International Zionist Organization, World Association of Girl Guides and Girl Scouts, World Federation of Methodist Women, World Jewish Congress, World Movement of Mothers, World Union of Catholic Women's Organizations, Zonta International.

70. A statement in exercise of the right of reply was made by the representative of Burundi (30th).

71. At the 57th meeting, on 5 March 1993, the representative of Finland introduced draft resolution E/CN.4/1993/L.57, sponsored by Australia, Austria, Canada, Chile, Costa Rica, the Czech Republic, Denmark*, Finland, France,

Gambia, Germany, Greece*, Hungary*, Iceland*, Ireland*, Italy*, Liechtenstein*, Luxembourg*, the Netherlands, New Zealand*, Norway*, Peru, Poland, Senegal*, Slovakia*, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Cameroon*, the Gambia and Tunisia subsequently joined the sponsors.

72. The draft resolution was adopted without a vote.

73. For the text as adopted, see chapter II, section A, resolution 1993/38.

74. At the same meeting, the observer for Belgium introduced draft resolution E/CN.4/1993/L.63, sponsored by Argentina, Australia, Austria, Belgium*, Burundi, Cameroon*, Canada, Costa Rica, Cyprus, Denmark*, Finland, France, the Gambia, Germany, Hungary*, Ireland*, Italy*, Liechtenstein*, Luxembourg*, the Netherlands, New Zealand*, Norway*, Portugal, the Russian Federation, Rwanda*, Senegal*, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. The Philippines*, Romania, Slovakia* and the United States of America subsequently joined the sponsors.

75. The observer for Belgium revised the draft resolution by inserting two new paragraphs as operative paragraphs 23 and 24, and renumbering the old operative paragraph 23 as operative paragraph 25.

76. A statement in connection with the draft resolution was made by the representative of Cuba.

77. The draft resolution, as orally revised, was adopted without a vote.

78. For the text as adopted, see chapter II, section A, resolution 1993/40.

B. Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

79. In relation to agenda item 10 (b) the Commission had before it the following documents:

Report of the Secretary-General (E/CN.4/1993/21);

Written statement submitted by the International Federation of Action of Christians for the Abolition of Torture, a non-governmental organization on the Roster (E/CN.4/1993/NGO/7);

Report of the Committee against Torture (A/47/44).

80. In the general debate on item 10 (b), statements 3/ were made by the following members of the Commission: China (30th), Poland (33rd), United States of America (30th).

81. The Commission also heard statements by the following observers: Belgium (30th), Spain (31st), Romania (33rd).

82. At its 57th meeting, on 5 March 1993, the representative of Finland introduced draft resolution E/CN.4/1993/L.56, sponsored by Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, the Czech Republic, Denmark*, Finland, France, Germany, Greece*, Hungary*, Ireland*, Italy*, Liechtenstein*, Luxembourg*, Mexico, the Netherlands, New Zealand*, Norway*, Panama*, Peru, Poland, Portugal, the Russian Federation, Senegal*, Slovakia*, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay. Cameroon*, Romania and Venezuela subsequently joined the sponsors.

83. The United States of America subsequently withdrew from the list of sponsors.

84. The resolution was adopted without a vote.

85. For the text as adopted, see chapter II, section A, resolution 1993/37.

C. Question of enforced or involuntary disappearances

86. In relation to agenda item 10 (c), the Commission had before it the following documents:

Report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1993/25 and Add.1);

Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/10).

87. At its 28th meeting, the Chairman-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Mr. Ivan Tosevski, introduced the report of the Working Group (E/CN.4/1993/25 and Add.1) to the Commission.

88. In the general debate on item 10 (c), statements were made by the following members of the Commission: Australia (34th), Austria (28th), Brazil (31st), Chile (28th), Costa Rica (30th), Colombia (33rd), Cuba (34th), Cyprus (33rd), India (33rd), Indonesia (34th), Poland (33rd), Portugal (34th), Republic of Korea (35th), Sri Lanka (33rd), United Kingdom of Great Britain and Northern Ireland (33rd).

89. The Commission also heard statements by the observers for Croatia (30th), Philippines (31st), Senegal (28th), Sweden (31st).

90. A statement was made by the observer for Switzerland (33rd).

91. The Commission also heard statements by the following non-governmental organizations: Andean Commission of Jurists (35th), Arab Lawyers Union (37th), Centre Europe-Tiers Monde (38th), Commission of the Churches on

International Affairs of the World Council of Churches (29th), Commission for the Defence of Human Rights in Central America (37th), France-Libertés: Fondation Danielle Mitterrand (29th), Human Rights Advocates (35th), International Educational Development, Inc. (38th), International Falcon Movement (38th), International Federation for the Protection of the Rights of Ethnic, Religious and other Minorities (35th), Latin American Federation of Associations of Relatives of Disappeared Detainees (32nd), Pax Romana (32nd), International League for the Rights and Liberation of Peoples (28th), World Organization against Torture (29th), World Student Christian Federation (38th), World University Service (38th).

92. The representative of Burundi made a statement in exercise of the right of reply (30th).

93. At the 57th meeting, on 5 March 1993, the representative for France introduced the draft resolution E/CN.4/1993/L.53, sponsored by Argentina, Australia, Austria, Belgium*, Bulgaria, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark*, Finland, France, the Gambia, Greece*, Guinea-Bissau, Hungary*, Ireland*, Italy*, Luxembourg*, Mauritania, Mauritius, the Netherlands, New Zealand*, Norway*, Panama*, Poland, Portugal, the Russian Federation, Rwanda*, Senegal*, Slovakia*, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Cameroon*, the Gambia, the Philippines*, Romania* and the United States of America subsequently joined the sponsors.

94. The representative of France orally revised the draft resolution by adding, at the end of operative paragraph 18, the words "and cooperate closely with the States concerned for the research and identification of these children".

95. The draft resolution as orally revised was adopted without a vote.

96. For the text as adopted, see chapter II, section A, resolution 1993/35.

D. Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

97. In relation to agenda item 10 (d), the Commission had before it the following documents:

Report of the open-ended working group on the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (E/CN.4/1993/28 and Corr.1);

Written statement submitted by the American Association of Jurists, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/20).

98. At its 28th meeting, the representative of Costa Rica, on behalf of the Chairman-Rapporteur of the Working Group, Mrs. E. Odio Benito, introduced the report of the open-ended working group on the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment to the Commission.

99. In the general debate on item 10 (d), statements 3/ were made by the following members of the Commission: Australia (34th), Austria (28th), Brazil (31st), Chile (28th), China (30th), Costa Rica (30th), Czech Republic (30th), Poland (33rd), Romania (33rd), United Kingdom of Great Britain and Northern Ireland (33rd).

100. The Commission also heard statements by the observers for Belgium (30th), Senegal (28th), Sweden (31st).

101. The observer for Switzerland made a statement (33rd).

102. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (35th), International Association against Torture (31st).

103. At the 57th meeting, on 5 March 1993, the representative of Costa Rica introduced the draft resolution E/CN.4/1993/L.52, sponsored by Argentina, Austria, Barbados, Belgium*, Brazil, Bulgaria, Burundi, Cameroon*, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark*, Ecuador*, El Salvador*, Finland, France, the Gambia, Greece*, Guatemala*, Honduras*, Hungary*, Italy*, Kenya, Liechtenstein*, Luxembourg*, Madagascar*, the Netherlands, Nicaragua*, Norway*, Panama*, Poland, Portugal, the Russian Federation, Senegal*, Slovakia*, Spain*, Sweden*, Switzerland*, Turkey*, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Australia, the Dominican Republic*, Romania and the United States of America subsequently joined the sponsors.

104. A statement in connection with the draft resolution was made by the representative of the Syrian Arab Republic.

105. The draft resolution was adopted without a vote.

106. For the text as adopted, see chapter II, section A, resolution 1993/34.
