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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.

XII. 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, INCLUDING: (a) QUESTION OF HUMAN RIGHTS IN CYPRUS; (b) STUDY OF SITUATIONS WHICH APPEAR TO REVEAL A CONSISTENT PATTERN OF GROSS VIOLATIONS OF HUMAN RIGHTS AS PROVIDED IN COMMISSION RESOLUTION 8 (XXIII) AND ECONOMIC AND SOCIAL COUNCIL RESOLUTIONS 1235 (XLII) AND 1503 (XLVIII): REPORT OF THE WORKING GROUP ON SITUATIONS ESTABLISHED BY ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1990/41 OF 25 MAY 1990

1. The Commission considered agenda item 12 and sub-item (a) at its 45th to 55th, 58th and 59th meetings, on 1 to 8 March, and at its 65th to 68th meetings, on 10 and 11 March 1993. Item 12 (b) was considered by the Commission in closed session (see para. ... below).

2. In connection with the consideration of item 12, the Commission had before it the following documents:

Note by the Secretariat (E/CN.4/1993/7);

Report on the situation of human rights in Myanmar, prepared by Mr. Yozo Yokota, Special Rapporteur of the Commission on Human Rights, in accordance with Commission resolution 1992/58 (E/CN.4/1993/37);

Report of the Secretary-General on cooperation with representatives of United Nations human rights bodies in accordance with Commission on Human Rights resolution 1992/59 (E/CN.4/1993/38);

Report on the situation of human rights in Cuba submitted by the Special Rapporteur, Mr. Carl-Johan Groth, in accordance with Commission resolution 1992/61 (E/CN.4/1993/39);

Report of the Secretary-General on the situation of human rights in Romania submitted pursuant to resolution 1992/64 (E/CN.4/1993/40);

Final report on the situation of human rights in the Islamic Republic of Iran submitted by the Special Representative of the Commission on Human Rights, Mr. Reynaldo Galindo Pohl, pursuant to Commission resolution 1992/67 of 4 March 1992 (E/CN.4/1993/41 and Add.1);

Final report on the situation of human rights in Afghanistan submitted by Mr. Felix Ermacora, Special Rapporteur, in accordance with Commission on Human Rights resolution 1992/68 (E/CN.4/1993/42);

Report of the Secretary-General on the situation of human rights in Albania submitted pursuant to Commission on Human Rights resolution 1992/69 (E/CN.4/1993/43);

Report of the Secretary-General on the situation of human rights in southern Lebanon (E/CN.4/1993/44);

Report on the situation of human rights in Iraq, prepared by Mr. Max van der Stoel, Special Rapporteur of the Commission on Human Rights, in accordance with Commission resolution 1992/71

(E/CN.4/1993/45);

Report on extrajudicial, summary or arbitrary executions submitted by the Special Rapporteur, Mr. Bacre Waly Ndiaye, pursuant to Commission on Human Rights resolution 1992/72 (E/CN.4/1993/46);

Report on the situation of human rights in Haiti, submitted by Mr. Marco Tulio Bruni Celli, Special Rapporteur, in accordance with Commission resolution 1992/77 (E/CN.4/1993/47);

Report on the human rights situation in Equatorial Guinea submitted by the Expert of the Commission on Human Rights, Mr. Fernando Volio, pursuant to Commission resolution 1992/79 (E/CN.4/1993/48);

Report of the Secretary-General on the situation in East Timor (E/CN.4/1993/49);

Letter dated 28 October 1992 from the Permanent Representative of the Russian Federation to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights (E/CN.4/1993/75);

Note verbale dated 29 December 1992 from the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1993/76);

Note verbale dated 29 December 1992 from the Permanent Representative of the Republic of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1993/79);

Letter dated 25 January 1993 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1993/82);

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);

Note verbale dated 17 February 1993 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1993/95);

Note verbale dated 19 February 1993 from the Permanent Mission of Iraq to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1993/99);

Note verbale dated 22 February 1993 from the Permanent Mission of Kuwait to the United Nations Office at Geneva addressed to the Centre for Human Rights (E/CN.4/1993/102);

Note verbale dated 26 February 1993 from the Permanent Representative of Myanmar to the United Nations Office at Geneva addressed to the Secretary-General (E/CN.4/1993/105);

Written statements submitted by Amnesty International, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/6, E/CN.4/1993/NGO/8);

Written statement submitted by the Andean Commission of Jurists, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/12);

Written statements submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/16, E/CN.4/1993/NGO/27);

Written statement submitted by the International Federation of ACAT (Action of Christians for the Abolition of Torture), a non-governmental organization on the Roster (E/CN.4/1993/NGO/23);

Written statements submitted by the Lawyers Committee for Human Rights, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/26, E/CN.4/1993/NGO/28);

Written statement submitted by the Centre Europe-Tiers Monde, a non-governmental organization on the Roster (E/CN.4/1993/NGO/31);

Written statement submitted by Pax Christi International, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/38).

3. At the 47th meeting, on 2 March 1993, the Special Representative on the situation of human rights in the Islamic Republic of Iran, Mr. Reynaldo Galindo Pohl, introduced his report to the Commission (E/CN.4/1993/41 and Add.1).

4. At the same meeting, the Special Rapporteur on the situation of human rights in Iraq, Mr. Max van der Stoep, introduced his report to the Commission (E/CN.4/1993/45).

5. At the 48th meeting, the Special Rapporteur on the situation of human rights in Myanmar, Mr. Yozo Yokota, introduced his report to the Commission (E/CN.4/1993/37).
6. At the same meeting, the Special Rapporteur on the situation of human rights in Afghanistan, Mr. Felix Ermacora, introduced his report to the Commission (E/CN.4/1993/42).
7. At the same meeting, the Special Rapporteur on summary or arbitrary executions, Mr. Bacre Waly Ndiaye, introduced his report to the Commission (E/CN.4/1993/46).
8. At the same meeting, the Expert appointed by the Secretary-General on the situation of human rights in Equatorial Guinea, Mr. Fernando Volio, introduced his report to the Commission (E/CN.4/1993/48).
9. At the same meeting, the Special Rapporteur on the situation of human rights in Cuba, Mr. Carl-Johan Groth, introduced his report to the Commission (E/CN.4/1993/39).
10. In the general debate on item 12, statements 3/ were made by the following members of the Commission: Argentina (49th), Australia (54th), Austria (50th), Barbados (50th), Brazil (53rd), Bulgaria (49th), Canada (45th), Chile (50th and 55th), China (45th and 53rd), Colombia (54th), Cuba (48th and 55th), Cyprus (49th), Czech Republic (49th), Finland (49th), Guinea-Bissau (45th), India (49th and 50th), Indonesia (54th), Iran (Islamic Republic of) (54th), Japan (50th), Mexico (53rd), Netherlands (47th), Nigeria (49th), Pakistan (45th), Poland (51st), Republic of Korea (51st), Romania (51st), Russian Federation (54th), Sri Lanka (49th and 50th), Syrian Arab Republic (53rd), Venezuela (49th), United States of America (50th).
11. The Commission heard statements by the observers for: Afghanistan (55th), Albania (46th), Armenia (51st), Democratic People's Republic of Korea (54th), Denmark (on behalf of the member States of the European Community) (45th), Equatorial Guinea (46th), Ethiopia (51st), Greece (51st), Haiti (51st), Hungary (55th), Kuwait (51st), Iraq (49th), Lebanon (49th), Liechtenstein (54th), Myanmar (49th), Norway (51st), Rwanda (46th), Sweden (55th), Turkey (46th), Viet Nam (51st).
12. The observer for Switzerland made a statement (55th).
13. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (55th), All Pakistan Women's Association (46th), American Commission of Jurists (46th),

Amnesty International (46th), Andean Commission of Jurists (55th), Anglican Consultative Council (52nd), Anti-Slavery International for the Protection of Human Rights (58th), Arab Lawyers Union (50th), Arab Organization for Human Rights (51st), Asian Cultural Forum on Development (52nd), Baha'i International Community (59th), Centre Europe-Tiers Monde (58th), Christian Democrat International (52nd), Commission for the Defence of Human Rights in Central America (50th), Commission of the Churches on International Affairs of the World Council of Churches (46th), Disabled Peoples' International (59th), France-Libertés: Fondation Danielle Mitterrand (46th), Human Rights Advocates (46th), International Association against Torture (46th), International Association of Democratic Lawyers (52nd), International Association of Educators for World Peace (52nd), International Commission of Jurists (51st), International Association for the Defence of Religious Liberty (52nd), International Confederation of Free Trade Unions (52nd), International Educational Development (52nd), International Falcon Movement (58th), International Federation for the Protection of the Rights of Ethnic, Religious and Other Minorities (58th), International Federation of Human Rights (46th), International Federation of Pedestrians (55th), International Fellowship of Reconciliation (52nd), International Human Rights Internship Program (58th), International Human Rights Law Group (46th), International Immigrants Foundation (58th), International Indian Treaty Council (58th), International League for Human Rights (52nd), International League for the Rights and Liberation of Peoples (55th), International Movement for Fraternal Union among Races and Peoples (52nd), International Peace Bureau (59th), International Union of Young Christian Democrats (52nd), Inter-Parliamentary Union (52nd), International Work Group for Indigenous Affairs (52nd), Latin American Federation of Associations of Relatives of Disappeared Detainees (55th), Lawyers Committee for Human Rights (51st), Liberation (52nd), Minority Rights Group (59th), Movement against Racism and for Friendship among Peoples (58th), National Aboriginal and Islander Legal Service Secretariat (58th), Pax Christi International (52nd), Pax Romana (52nd), Service, Peace and Justice in Latin America (52nd), Socialist International (52nd), Survival International (52nd), Third World Movement against the Exploitation of Women (58th), Union of Arab Jurists (52nd), Women's International League for Peace and Freedom (52nd), World Alliance of Reformed Churches (46th), World Christian Life Community (58th), World Conference on Religion and Peace (55th), World Federalist

Movement (52nd), World Federation of Democratic Youth (59th), World Federation of Trade Unions (52nd), World Muslim Congress (52nd), World Organization against Torture (52nd), World Social Prospect Association (52nd), World Student Christian Federation (58th), World University Service (59th).

14. A joint statement was made by the International Federation Terre des Hommes (51st) on behalf of: African Association of Education for Development, American Association of Jurists, Centre Europe-Tiers Monde, Defence for Children International, Disabled Peoples' International, International Educational Development Inc., International Fellowship of Reconciliation, International Immigrants Foundation, International League for the Rights and Liberation of Peoples, Liberation, Pax Christi International, Women's International League for Peace and Freedom, World Federation of Methodists, World Student Christian Federation, World Union of Catholic Women's Organizations.

15. Statements in exercise of the right of reply or its equivalent were made by the representatives of Angola (53rd), China (46th and 50th), Cuba (46th, 49th, 50th, 52nd, 53rd, 54th and 55th), Burundi (47th), Iraq (46th), India (45th and 52nd), Mauritania (53rd), Pakistan (45th), Peru (55th), the Sudan (48th, 51st and 53rd), Syrian Arab Republic (51st) and the observers for Algeria (51st), Croatia (53rd), the Democratic People's Republic of Korea (49th, 52nd and 59th), Kuwait (53rd), Iraq (50th, 51st, 54th and 55th), Morocco (54th), the Philippines (59th), Rwanda (51st), Turkey (50th).

Situation of human rights in the Sudan

16. At the 65th meeting, on 10 March 1993, the representative of the United States of America introduced draft resolution E/CN.4/1993/L.32, sponsored by Australia, Austria, Belgium*, Denmark*, Finland, France, Germany, Greece*, Ireland*, Italy*, Luxembourg*, the Netherlands, Norway*, Portugal, Spain*, Sweden*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Canada, Hungary*, Panama*, Poland, Romania and Switzerland* subsequently joined the sponsors.

17. A statement in connection with the draft resolution was made by the representative of the Sudan.

18. The representative of the Sudan requested for a roll-call vote.

19. A statement in explanation of vote before the vote was made by the representatives of China, the Islamic Republic of Iran and Pakistan.

20. The draft resolution was adopted by 35 votes to 9, with 8 abstentions.

The voting was as follows:

In favour: Angola, Argentina, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Cyprus, Czech Republic, Finland, France, Gabon, Gambia, Germany, Japan, Lesotho, Mauritius, Mexico, Netherlands, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia.

Against: Bangladesh, China, Cuba, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Pakistan, Sudan.

Abstaining: Burundi, Guinea-Bissau, India, Kenya, Mauritania, Nigeria, Sri Lanka, Syrian Arab Republic.

21. A statement in connection with the resolution adopted was made by the representative of the Sudan.

22. A statement in explanation of vote after the vote was made by the representative of Malaysia.

23. For the text as adopted, see chapter II, section A, resolution 1993/60.
Situation of human rights in Zaire

24. At the same meeting, the representative of France introduced draft resolution E/CN.4/1993/L.33, sponsored by Australia, Belgium*, Canada, Denmark*, Finland, France, Germany, Greece*, Hungary*, Ireland*, Italy*, Luxembourg*, the Netherlands, Portugal, Romania, Spain*, Turkey*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Austria, the Czech Republic, Norway*, Poland, Sweden* and Switzerland* subsequently joined the sponsors.

25. The draft resolution was adopted without a vote.

26. For the text as adopted, see chapter II, section A, resolution 1993/61.
Situation of human rights in the Islamic Republic of Iran

27. At the same meeting, the observer for Denmark introduced draft resolution E/CN.4/1993/L.35, sponsored by Australia, Belgium*, Canada, Denmark*, Finland, France, Germany, Greece*, Iceland*, Ireland*, Italy*, Japan, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Portugal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

28. The representative of the Islamic Republic of Iran made a statement in connection with the draft resolution and requested for a roll-call vote.

29. 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.35.

30. Statements in explanation of vote before the vote were made by the representatives of Pakistan and the Sudan.

31. The draft resolution was adopted by 23 votes to 11, with 14 abstentions. The voting was as follows:

In favour: Australia, Austria, Barbados, Brazil, Canada, Chile, Costa Rica, Czech Republic, Finland, France, Germany, Japan, Mauritania, Mauritius, Mexico, Netherlands, Peru, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia.

Against: Bangladesh, China, Cuba, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Malaysia, Pakistan, Sudan, Syrian Arab Republic.

Abstaining: Angola, Burundi, Colombia, Cyprus, Gabon, Gambia, India, Lesotho, Nigeria, Poland, Republic of Korea, Sri Lanka, Tunisia, Uruguay.

32. The representative of Brazil made a statement in explanation of vote after the vote.

33. For the text as adopted, see chapter II, section A, resolution 1993/62.

Situation of human rights in Cuba

34. At the same meeting, the representative of the United States of America introduced draft resolution E/CN.4/1993/L.37, sponsored by Albania*, Bulgaria, Canada, the Czech Republic, Denmark*, Finland, the Gambia, Germany, Honduras*, Hungary*, Iceland*, Ireland*, Japan, Kuwait*, Liechtenstein*, Lithuania*, the Netherlands, Nicaragua*, Norway*, Poland, Romania, Slovakia*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Belgium*, Luxembourg*, Panama* and Portugal subsequently joined the sponsors.

35. The representative of Cuba requested a roll-call vote on the draft resolution.

36. A statement in explanation of vote before the vote was made by the representative of Cuba.

37. The draft resolution was adopted by 27 votes to 10, with 15 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Barbados, Bulgaria, Canada, Chile, Costa Rica, Cyprus, Czech Republic, Finland, France, Gabon, Gambia, Germany, Japan, Mauritius, Netherlands, Poland, Portugal, Republic of Korea, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against: Angola, China, Cuba, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Sudan, Syrian Arab Republic.

Abstaining: Brazil, Burundi, Colombia, India, Lesotho, Malaysia, Mauritania, Mexico, Nigeria, Pakistan, Peru, Sri Lanka, Tunisia, Venezuela, Zambia.

38. Statements in explanation of vote after the vote were made by the representatives of Brazil and Chile.

39. For the text as adopted, see chapter II, section A, resolution 1993/63. Cooperation with representatives of the United Nations human rights bodies

40. At the 65th meeting, on 10 March 1993, the observer for Hungary introduced draft resolution E/CN.4/1993/L.80, sponsored by Australia, Austria, Costa Rica, the Czech Republic, the Gambia, Hungary*, Sweden* and Switzerland*.

41. The draft resolution was adopted without a vote.

42. For the text as adopted, see chapter II, section A, resolution 1993/64. Situation in East Timor

43. At the same meeting, the Commission postponed consideration of draft resolution E/CN.4/1993/L.81, sponsored by Angola, Belgium*, Brazil, Costa Rica, Denmark*, Finland, France, Germany, Greece*, Iceland*, Ireland*, Italy*, Liechtenstein*, Luxembourg*, Mozambique*, the Netherlands, Norway*, Portugal, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland.

44. At the 68th meeting, on 11 March 1993, the observer for Denmark, on behalf of the member States of the European Community, introduced a revised

draft resolution (E/CN.4/1993/81/Rev.1), sponsored by the same sponsors as draft resolution E/CN.4/1993/81 as well as the United States of America. Guinea-Bissau subsequently joined the sponsors.

45. The revised draft resolution contained the following revisions:

(a) The sixth preambular paragraph, which read "Disappointed by the frequent denial of access to the territory of East Timor to human rights organizations as well as to some other relevant international observers," was replaced by a new sixth preambular paragraph;

(b) A new seventh preambular paragraph was added;

(c) In operative paragraph 1, the words "in the territory of" between the words "violations in" and the words "East Timor" were deleted;

(d) In operative paragraph 3, the words "and urges the Government of Indonesia to account fully for those still missing since 12 November 1991;" were added at the end of the paragraph;

(e) Operative paragraph 7, which read "Renews its call on the Indonesian authorities to allow access to East Timor to human rights organizations and additional humanitarian organizations;" was replaced by a new operative paragraph.

46. At the same meeting, the representative of Malaysia moved, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1993/L.81/Rev.1.

47. Statements relating to the motion were made by the representatives of Angola, Bangladesh, Canada, Costa Rica, the Russian Federation, Guinea-Bissau, India, the Islamic Republic of Iran, Japan, Poland, the Sudan, the Syrian Arab Republic and the United States of America.

48. The representative of the United States of America requested a roll-call vote on the motion, which was rejected by 22 votes to 15, with 12 abstentions. The voting was as follows:

In favour: Bangladesh, China, Cuba, Gambia, India, Indonesia, Iran (Islamic Republic of), Japan, Kenya, Malaysia, Nigeria, Republic of Korea, Sri Lanka, Sudan, Syrian Arab Republic.

Against: Angola, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Finland, France, Germany, Guinea-Bissau, Mauritius, Netherlands, Poland, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia.

Abstaining: Argentina, Burundi, Colombia, Cyprus, Gabon, Lesotho, Mauritania, Mexico, Pakistan, Peru, Tunisia, Venezuela.

49. The representative of Malaysia requested a roll-call vote on the draft resolution.

50. Statements in explanation of vote before the vote were made by the representatives of Austria and Indonesia.

51. Draft resolution E/CN.4/1993/L.81/Rev.1 was adopted by 22 votes to 12, with 15 abstentions. The voting was as follows:

In favour: Angola, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Costa Rica, Czech Republic, Finland, France, Germany, Guinea-Bissau, Mauritius, Netherlands, Poland, Portugal, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

Against: Bangladesh, China, Cuba, Gambia, India, Indonesia, Iran (Islamic Republic of), Malaysia, Nigeria, Sri Lanka, Sudan, Syrian Arab Republic.

Abstaining: Argentina, Burundi, Colombia, Cyprus, Gabon, Japan, Kenya, Lesotho, Mauritania, Mexico, Pakistan, Peru, Republic of Korea, Tunisia, Venezuela.

52. At the 69th meeting, on 12 March 1993, explanations of vote after the vote were made by the representatives of ...

53. For the text as adopted, see chapter II, section A, resolution 1993/97.

Situation of human rights in Albania

54. At the 65th meeting, on 10 March 1993, the representative of Portugal introduced draft resolution E/CN.4/1993/L.85, sponsored by Albania*, Austria, Belgium*, Canada, Denmark*, Finland, France, Germany, Greece*, Ireland*,

Italy*, Luxembourg*, the Netherlands, Portugal, Spain*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland. The United States of America subsequently joined the sponsors.

55. The draft resolution was adopted without a vote.

56. For the text as adopted, see chapter II, section A, resolution 1993/65.

Situation of human rights in Afghanistan

57. On 8 March 1993, a draft resolution (E/CN.4/1993/L.87) had been submitted by the Chairman.

58. At the 65th meeting, on 10 March 1993, the Chairman introduced a revised draft resolution (E/CN.4/1993/L.87/Rev.1), which contained a revision to draft resolution E/CN.4/1993/L.87, inserting a new paragraph as operative paragraph 4.

59. The draft resolution was adopted without a vote.

60. For the text as adopted, see chapter II, section A, resolution 1993/66.

Situation of human rights in southern Lebanon

61. At the 65th meeting, on 10 March 1993, the representative of Mauritania introduced draft resolution E/CN.4/1993/L.90, sponsored by Afghanistan*, Algeria*, Bahrain*, Bangladesh, Burundi, Cuba, India, Indonesia, Iraq*, Jordan*, Kuwait*, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*, Somalia*, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates*, Yemen* and Zambia. Madagascar subsequently joined the sponsors.

62. At the request of the representative of the United States of America, a vote was taken on draft resolution E/CN.4/1993/L.90. The draft resolution was adopted by 50 votes to 1.

63. A statement in explanation of vote after the vote was made by the representative of Uruguay.

64. For the text as adopted, see chapter II, section A, resolution 1993/67.

Situation of human rights in Haiti

65. At the 65th meeting, on 10 March 1993, the representative of Venezuela introduced draft resolution E/CN.4/1993/L.92, sponsored by Argentina, Austria, Barbados, Belgium*, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark*, Finland, France, Germany, Greece*, Haiti*, Ireland*, Italy*, Mexico, the Netherlands, Norway*, Portugal, Senegal*, Spain*, Sweden*, the

United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Australia, Hungary*, Jamaica*, Japan, Luxembourg*, Panama*, Peru, Switzerland* and Turkey* subsequently joined the sponsors.

66. 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.92.

67. The draft resolution was adopted without a vote.

68. A statement in explanation of his delegation's position was made by the representative of the United States of America.

69. For the text as adopted, see chapter II, section A, resolution 1993/68.

Situation in Equatorial Guinea

70. At the 65th meeting, on 10 March 1993, the representative of Costa Rica introduced draft resolution E/CN.4/1993/L.93, sponsored by Costa Rica, which read as follows:

"Situation in Equatorial Guinea

The Commission on Human Rights,

Recalling its resolution 1992/79 of 5 March 1992,

Bearing in mind that the Economic and Social Council, in its resolution 1982/36 of 7 May 1982, took note of the Plan of Action proposed by the United Nations and accepted by the Government of Equatorial Guinea, which was based on the recommendations submitted by Mr. Fernando Volio Jiménez, the Expert appointed by the Secretary-General pursuant to Commission on Human Rights resolution 33 (XXXVI) of 11 March 1980,

Considering that the 1982 Plan of Action has never been satisfactorily implemented by the Government despite the assistance and the advice given by the Centre for Human Rights,

Noting with satisfaction that the Government of Equatorial Guinea is a party to the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol thereto,

Taking into account that the Government of Equatorial Guinea has an obligation to submit periodic reports to the Committee on Economic, Social and Cultural Rights and the Human Rights Committee and that its initial reports are overdue,

Mindful of the fact that, in order to overcome the present serious deterioration of the political situation, it is not sufficient to promulgate legislation if the legislation remains without practical effect on the life of citizens,

Mindful also that it is essential that all the political tendencies, including the opposition parties in exile, should play an active role,

Pointing out that the reasons given by the refugees for not returning to Equatorial Guinea, so long as an overall political solution is not achieved and a broad-based government is not established, are the persistence of systematic violations of human rights and fundamental freedoms, the systematic application of torture and other cruel, inhuman and degrading treatment or punishment to political prisoners, as well as other obstacles which the refugees are reported to face if they return to Equatorial Guinea,

Taking note of the fact that the authorities have, very recently and successively, arrested and ill-treated political opponents who had returned to their country, availing themselves of the promises given by the President of the Republic himself to facilitate the return of exiles to their country, under a plan of return prepared by the churches of Equatorial Guinea and the exiles,

Mindful further of the fact that the new Fundamental Law and the recently promulgated legislation on religious freedom, amnesty and political parties are prejudicial to the enjoyment of fundamental freedoms, to the return of the thousands of exiles and to the participation of all citizens of Equatorial Guinea in political life in complete freedom,

Taking note of the report of the Expert (E/CN.4/1993/48), which indicates that the human rights situation in Equatorial Guinea has continued to deteriorate seriously,

Mindful that it is essential to put an end to the serious deterioration of the human rights situation in Equatorial Guinea,

1. Commends the excellent work done during the past 14 years by Mr. Fernando Volio Jiménez for the promotion and protection of human rights in Equatorial Guinea;

2. Deeply deplores the serious deterioration of the human rights situation in Equatorial Guinea;

3. Expresses its serious concern at the persistence of politically motivated violations of human rights, such as arbitrary arrests and the systematic application to political prisoners of torture and other cruel, inhuman and degrading treatment or punishment;

4. Also expresses its concern at the fact that, despite having approved it, the Government has never implemented the Plan of Action prepared by the Expert in 1980, and has not yet approved the new Plan of Action prepared by the Expert in 1992;

5. Further expresses its serious concern at the fact that the Government of Equatorial Guinea has refused to collaborate with the Expert in seeking means of improving fundamental freedoms, and particularly freedom of worship and religion, trade union freedom, freedom of association, and freedom of peaceful demonstration and assembly, which are still seriously restricted;

6. Deplores the situation of women in Equatorial Guinea, as revealed by the report of the Expert;

7. Also deplores the arbitrary detentions of exiles and opponents of the regime who returned to Equatorial Guinea in order to avail themselves of the promises of political opening made by the Government;

8. Calls upon the Government of Equatorial Guinea to put an end to the use of military courts for trying ordinary law offences and to permit the establishment of an independent judiciary;

9. Also calls upon the Government of Equatorial Guinea to take all necessary measures to promote harmonious coexistence of the peoples forming the society of Equatorial Guinea;

10. Further calls upon the Government of Equatorial Guinea to free all political prisoners and to take, as soon as possible, legislative and administrative measures satisfying the requirements laid down in the International Bill of Human Rights and in other relevant international instruments, and providing for the establishment of freedom, democracy and the rule of law, as well as the promotion and effective protection of human rights and fundamental freedoms of all citizens of Equatorial Guinea;

11. Encourages the Government of Equatorial Guinea to endeavour to facilitate, as the President of the Republic has already given a written undertaking to do in a letter to the Committee on the Return of Exiles, the return of all refugees and exiles, inter alia, by adopting measures permitting

the full participation of all citizens in the country's political, economic, social and cultural affairs, thus helping to resolve the shortage of specialized personnel, as indicated in the report of the Expert;

12. Requests its Chairman, following consultations with the Bureau, to appoint an individual of recognized international standing in the field of human rights, who is entirely familiar with the situation in Equatorial Guinea, as a Special Rapporteur of the Commission whose mandate will be to make a thorough study of the violations of human rights by the Government of Equatorial Guinea, on the basis of all the information which he considers relevant, including information furnished by intergovernmental and non-governmental organizations and by private individuals and, in particular, any documentation provided by the Government of Equatorial Guinea;

13. Requests the Government of Equatorial Guinea to give the necessary cooperation to the Special Rapporteur and to the Centre for Human Rights in the implementation of the new Emergency Plan of Action (E/CN.4/1992/51, para. 125);

14. Urges the Government of Equatorial Guinea to propose to the International Committee of the Red Cross the conclusion of an agreement for the purpose of enabling the Committee to make periodic visits to prisons and civil and military detention centres, including cells in which persons are held incommunicado;

15. Urges the Government of Equatorial Guinea to continue negotiations with the opposition with a view to establishing the bases for the democratic process in Equatorial Guinea;

16. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteur;

17. Requests the Special Rapporteur to report to the Commission at its fiftieth session;

18. Decides to consider the question at its fiftieth session under the agenda item entitled "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".

71. The representative of Costa Rica orally revised the draft resolution as follows:

(a) The sixth and tenth preambular paragraphs, and operative paragraphs 2, 5, 7 and 13 were deleted;

(b) In the seventh preambular paragraph, the words "in exile" between the word "parties" and the word "should" were deleted;

(c) In the eighth preambular paragraph, the remainder of the paragraph after the words "is not established," was replaced by the words "with full respect for human rights and fundamental freedoms";

(d) In operative paragraph 3, the word "systematic" was deleted; and the words "and the lack of cooperation with the Expert" were added at the end of the paragraph;

(e) In operative paragraph 11, the words ", as the President of the Republic has already given a written undertaking to do in a letter to the Committee on the Return of Exiles, the return of all refugees and exiles, inter alia," were replaced by the words "the return of exiles and refugees";

(f) In operative paragraph 18, the words "unless there is a significant improvement in the situation of human rights and fundamental freedoms in Equatorial Guinea" were added at the end of the paragraph.

72. Statements in connection with the draft resolution were made by the representatives of Equatorial Guinea, the Netherlands and the United States of America.

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

74. For the text as adopted, see chapter II, section A, resolution 1993/69.
Human rights and mass exoduses

75. At the 65th meeting, on 10 March 1993, the representative of Canada introduced draft resolution E/CN.4/1993/L.94, sponsored by Australia, Bulgaria, Burundi, Canada, Costa Rica, Cyprus, Finland, the Gambia, Germany, Greece*, Hungary*, Italy*, Japan, Jordan*, Mauritania, New Zealand*, Norway*, the Philippines*, Poland, the Russian Federation, Switzerland*, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia. Austria, Luxembourg*, Madagascar* and Turkey* subsequently joined the sponsors.

76. The representative of Canada orally revised the draft resolution by deleting, in operative paragraph 4, the word "informed" between the words "governmental and" and the word "intergovernmental".

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

78. For the text as adopted, see chapter II, section A, resolution 1993/70.

Situation of human rights in Tadjikistan

79. At the 66th meeting, on 10 March 1993, the Chairman of the Commission made a statement reading as follows:

"The Commission on Human Rights is deeply concerned by reports of serious human rights violations associated with the armed civil conflicts in Tadjikistan. These reported violations include the killing of non-combatants, the taking of hostages, summary executions and arbitrary detentions. Large numbers of people have fled from their homes, causing greater suffering. The situation of the large number of Tadjik refugees on the border of Afghanistan is also a cause of great concern which requires international humanitarian assistance.

"The Commission welcomes and commends the efforts both of the United Nations and representatives of the International Committee of the Red Cross in the field to help those in need.

"Recognizing the connection between the on-going hostilities and the continuing violations of human rights, the Commission calls upon all parties to the conflict to respect the human rights and fundamental freedoms of the Tadjik people of whatever political or ethnic affiliation and to negotiate, on an urgent basis, a permanent end to the hostilities to ensure a lasting peace thereby permitting internationally-recognized humanitarian norms to be implemented and the internally displaced population allowed to return to their homes in safety and free from the fear of persecution."

Situation of human rights in Latvia and Estonia

80. At the 66th meeting, on 10 March 1993, the Chairman of the Commission made a statement reading as follows:

"The Commission on Human Rights, taking note of the wishes of Latvia and Estonia to strengthen their political institutions and national cultures; having in mind the interests of members of other nationalities permanently residing in these countries, who wish to be equal members of their societies; realizing the present difficulties relating to populations transferred into Estonia, Latvia and Russia and existing legislation in this field; taking note also of the views expressed during the forty-ninth session of the Commission on Human Rights on the existing problems; taking into consideration visits of various international fact-finding missions to Estonia and Latvia and the

cooperation extended by the Governments to these missions; also taking note of the findings and recommendations of the missions; appeals to all interested parties and others concerned to abstain from any official declarations and actions which might adversely affect the confidence building among the people living in these countries; invites all parties to continue their efforts to search for acceptable solutions by peaceful means, and in conformity with principles of justice and international law."

Extrajudicial, summary or arbitrary executions

81. At the 66th meeting, on 10 March 1993, the observer for Sweden introduced draft resolution E/CN.4/1993/L.97, sponsored by Argentina, Australia, Austria, Barbados, Belgium*, Bulgaria, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark*, Estonia*, Ethiopia*, Finland, France, Germany, Greece*, Hungary*, Iceland*, Ireland*, Italy*, Latvia*, Luxembourg*, the Netherlands, New Zealand*, Nicaragua*, Norway*, Poland, Portugal, Romania, the Russian Federation, Senegal*, Slovakia*, Spain*, Swaziland*, Sweden*, Switzerland* and the United Kingdom of Great Britain and Northern Ireland.

82. The draft resolution was adopted without a vote.

83. For the text as adopted, see chapter II, section A, resolution 1993/71.

Situation of human rights in Romania

84. At the 66th meeting, on 10 March 1993, the observer for Sweden introduced draft resolution E/CN.4/1993/L.98, sponsored by Australia, Austria, Belgium*, Canada, the Czech Republic, Denmark*, Finland, France, Germany, Greece*, Iceland*, Ireland*, Italy*, Luxembourg*, the Netherlands, Norway*, Poland, Portugal, Romania, Slovakia*, Spain*, Sweden*, Switzerland*, Turkey*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Russian Federation subsequently joined the sponsors.

85. The draft resolution was adopted without a vote.

86. For the text as adopted, see chapter II, section A, resolution 1993/72.

Situation of human rights in Myanmar

87. At the 66th meeting, on 10 March 1993, the representative of France introduced draft resolution E/CN.4/1993/L.101, sponsored by Argentina, Australia, Austria, Belgium*, Bulgaria, Canada, Chile, Costa Rica, the Czech Republic, Denmark*, Finland, France, Germany, Greece*, Hungary*, Ireland*,

Italy*, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Poland, Portugal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

88. In introducing the draft resolution, the representative of France orally revised it by deleting in operative paragraph 18, the words "and all the recommendations of the Special Rapporteur" after the words "Decides to keep the matter".

89. Statements in connection with the draft resolution were made by the observer for Myanmar and the representative of Cuba.

90. 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.101.

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

92. A statement in explanation of his delegation's position was made by the representative of Japan.

93. For the text as adopted, see chapter II, section A, resolution 1993/73. Situation of human rights in Iraq

94. At the 66th meeting, on 10 March 1993, the observer for Denmark introduced draft resolution E/CN.4/1993/L.103, sponsored by Argentina, Australia, Austria, Belgium*, Canada, the Czech Republic, Denmark*, Finland, France, Germany, Greece*, Hungary*, Iceland*, Ireland*, Italy*, Japan, Kuwait*, Liechtenstein*, Luxembourg*, the Netherlands, Norway*, Portugal, Rwanda*, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Turkey* subsequently joined the sponsors.

95. 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.103.

96. The representatives of the Sudan and the Libyan Arab Jamahiriya made statements in connection with the draft resolution.

97. At the request of the representative of the Sudan, a vote was taken by roll-call on operative paragraph 11 of the draft resolution. Operative paragraph 11 was retained by 32 votes to 3, with 16 abstentions. The voting was as follows:

In favour: Angola, Argentina, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Czech Republic, Finland, France, Gabon, Gambia, Germany, Japan, Mauritius, Mexico, Netherlands, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia.

Against: Libyan Arab Jamahiriya, Mauritania, Sudan.

Abstaining: Bangladesh, Burundi, China, Cuba, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Malaysia, Nigeria, Pakistan, Sri Lanka, Syrian Arab Republic, Tunisia.

98. At the request of the representative of the Sudan, a roll-call vote was taken on draft resolution E/CN.4/1993/L.103 as a whole. The draft resolution was adopted by 36 votes to 1, with 15 abstentions. The voting was as follows:

In favour: Angola, Argentina, Australia, Austria, Barbados, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Cyprus, Czech Republic, Finland, France, Gabon, Gambia, Germany, Iran (Islamic Republic of), Japan, Kenya, Mauritius, Mexico, Netherlands, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia.

Against: Sudan.

Abstaining: Bangladesh, Burundi, China, Cuba, Guinea-Bissau, India, Indonesia, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mauritania, Nigeria, Pakistan, Sri Lanka, Tunisia.

99. Statements in explanation of vote after the vote were made by the representatives of India and the Syrian Arab Republic.

100. For the text as adopted, see chapter II, section A, resolution 1993/74.

Situation of human rights in China

101. At the 66th meeting, on 10 March 1993, the observer for Denmark introduced draft resolution E/CN.4/1993/L.104**, sponsored by Australia, Belgium*, Canada, Denmark*, Finland, France, Germany, Greece*, Iceland*, Ireland*, Italy*, Liechtenstein*, Luxembourg*, the Netherlands, Norway*,

Portugal, Spain*, Sweden*, Switzerland*, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Costa Rica and Japan subsequently joined the sponsors.

102. The draft resolution read as follows:

"Situation of human rights in China,

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,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Taking note of recent developments in the situation of human rights in China,

Concerned at the continuing reports of violations of human rights and fundamental freedoms in China, as well as measures which threaten the distinct cultural, religious and ethnic identity of persons belonging to minorities,

Taking note of the reports of the Special Rapporteurs on the question of torture (E/CN.4/1993/26), on extrajudicial, summary or arbitrary executions (E/CN.4/1993/46), on the question of religious intolerance (E/CN.4/1993/62), as well as the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1993/25),

1. Expresses concern over the continuing reports of violations of human rights and fundamental freedoms in China, including severe restrictions on the rights of freedom of expression, religion, assembly, association and fair trial;

2. Calls upon the Government of the People's Republic of China to take measures to ensure the observance of human rights and to improve the administration of justice in China;

3. Invites the Government of the People's Republic of China to continue to cooperate with the Special Rapporteurs and Working Groups;

4. Requests the Secretary-General to bring the present resolution to the attention of the Government of the People's Republic of China and to prepare a report for the Commission on Human Rights at its

fiftieth session on the situation of human rights in China on the basis of available information, including the reports of the Special Rapporteurs, Working Groups and treaty bodies as well as any other relevant information."

103. At the same meeting, the representative of China moved, under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, that the Commission take no decision on draft resolution E/CN.4/1993/104**.

104. Statements relating to the motion were made by the representatives of Bangladesh, Canada, Cuba, the Islamic Republic of Iran, Malaysia, Mauritania, the Netherlands, Nigeria, Pakistan, Portugal, the Russian Federation, the Syrian Arab Republic, the Sudan, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

105. At the request of the representative of China, a roll-call vote was taken on the motion, which was adopted by 22 votes to 17, with 12 abstentions. The voting was as follows:

In favour: Angola, Bangladesh, Burundi, China, Cuba, Cyprus, Gabon, Guinea-Bissau, India, Indonesia, Iran (Islamic Republic of), Kenya, Libyan Arab Jamahiriya, Malaysia, Mauritania, Nigeria, Pakistan, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Zambia.

Against: Australia, Austria, Bulgaria, Canada, Costa Rica, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Portugal, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Barbados, Brazil, Chile, Colombia, Gambia, Lesotho, Mexico, Peru, Republic of Korea, Uruguay, Venezuela.

106. Statements in explanation of vote after the vote were made by the representatives of China and Poland.

107. For the text as adopted, see chapter II, section B, decision 1993/110.

Situation of human rights in Togo

108. At the 67th meeting, on 10 March 1993, the representative of Germany introduced draft resolution E/CN.4/1993/L.108, sponsored by France, Germany, Greece*, Hungary*, Portugal and the United Kingdom of Great Britain and

Northern Ireland. Austria, Belgium*, Canada, the Czech Republic, Denmark*, Ireland*, Italy*, Luxembourg*, the Netherlands, Poland, Spain*, Switzerland* and the United States of America subsequently joined the sponsors.

109. The representative of Germany orally revised the draft resolution as follows:

(a) A new paragraph was inserted as the seventh preambular paragraph;

(b) In operative paragraph 3, the words "to create favourable conditions for the return of Togolese who fled to neighbouring countries in safety and dignity and" were inserted between the words "necessary measures" and the words "to guarantee";

(c) Operative paragraph 4 which read "Invites the special rapporteurs and working groups of the Commission to keep the situation of human rights in Togo under review;" was replaced by a new paragraph;

(d) In operative paragraph 5 (a), the words "and to ask them to express themselves as fast as possible on the follow up they would give to the present resolution" were added at the end of the paragraph.

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

111. A statement in explanation of his delegation's position was made by the representative of the Sudan.

112. For the text as adopted, see chapter II, section A, resolution 1993/75.
Human rights violation in Bougainville

113. On 8 March 1993, a draft resolution (E/CN.4/1993/L.51) had been submitted by Angola, Guinea-Bissau, Nigeria and the Solomon Islands*.

114. At the 67th meeting, on 10 March 1993, the representative of Guinea-Bissau introduced a revised draft resolution (E/CN.4/1993/L.51/Rev.1), sponsored by Angola, Guinea-Bissau, Nigeria and the Solomon Islands*.

115. The revised draft resolution contained the following revisions:

(a) Operative paragraph 1, which read "Encourages the Government of Papua New Guinea to lift the blockade of medical supplies and other essential means imposed on the people of Bougainville;" was deleted;

(b) Operative paragraph 2, which read "Also encourages the Government of Papua New Guinea to restore freedom of movement to the people of Bougainville including the right to enter and leave Papua New Guinea;" was deleted;

(c) The remaining operative paragraphs were renumbered accordingly;

(d) In the new operative paragraph 1, the word "and" was replaced by the words "particularly including";

(e) In the new operative paragraph 2, the word "people" after the words "the Bougainville" was replaced by the word "peoples".

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

117. Statements in explanation of their delegation's positions were made by the representatives of Australia, France, India, the Syrian Arab Republic and the United States of America.

118. For the text as adopted, see chapter II, section A, resolution 1993/76.

Forced Eviction

119. At the 67th meeting, on 10 March 1993, the Commission considered draft resolution III recommended by the Sub-Commission for adoption by the Commission (see E/CN.4/1993/2, chap. I, sect. B).

120. The representative of the Netherlands orally proposed the following amendments to the draft resolution:

(a) In the seventh preambular paragraph after the words "range of actors" delete the remainder of the paragraph;

(b) In operative paragraph 1, delete the word "gross" between the words "constitute a" and the word "violation";

(c) In operative paragraph 7, replace the words "item 12, entitled 'Question of the violation of human rights and fundamental freedoms in any parts of the world with particular reference to colonial and other dependent countries and territories', and to determine how most effectively to continue its consideration of the issue of the forced evictions." by the words "item 7, entitled 'Realization of economic, social and cultural rights'".

121. The representative of the Syrian Arab Republic proposed not to delete the word "gross" as proposed by the representative of the Netherlands. The representative of the Netherlands accepted the proposal made by the representative of the Syrian Arab Republic.

122. The Commission accepted the proposed amendments made by the representative of the Netherlands as further amended by the representative of the Syrian Arab Republic.

123. The draft resolution, as amended, was adopted without a vote.

124. A statement in explanation of his delegation's position was made by the representative of the United States of America.

125. For the text as adopted, see chapter II, section A, resolution 1993/77.

Detention in Bougainville

126. At the 67th meeting, on 10 March 1993, the Commission considered draft decision 2 recommended by the Sub-Commission to the Commission for adoption (see E/CN.4/1993/2, chap.I, sect. B).

127. The draft decision was adopted without a vote.

128. For the text as adopted, see chapter II, section B, decision 1993/111.

A. Question of human rights in Cyprus

129. In connection with agenda item 12 (a), the Commission had before it the following documents:

Report of the Secretary-General provided pursuant to Commission on Human Rights decision 1992/106 (E/CN.4/1993/36);

Letter dated 25 January 1993 from the Permanent Representative of Cyprus to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights (E/CN.4/1993/82).

130. Statements 3/ were made by the following members of the Commission: Argentina (49th), Australia (54th), Austria (50th), Brazil (53rd), Bulgaria (49th), China (45th), Cyprus (49th), Czech Republic (49th), Finland (49th), Guinea-Bissau (45th), India (49th and 50th), Indonesia (54th), Japan (50th), Mexico (53rd), Netherlands (47th), Nigeria (49th), Pakistan (45th), Republic of Korea (51st), Romania (51st), Russian Federation (54th), Sri Lanka (49th and 50th), Syrian Arab Republic (53rd).

131. The Commission also heard statements by the observers for: Denmark (on behalf of the European Community and its member States) (45th), Greece (51st), Turkey (55th).

132. The observer for Switzerland made a statement (55th).

133. A statement was made by the World Federation of Trade Unions (52nd).

134. A statement in exercise of the right of reply was made by the representative of Cyprus (55th).

135. At the 59th meeting, on 8 March 1993, the Chairman proposed a draft decision postponing the debate on agenda item 12 (a) to the fiftieth session of the Commission where it would be given due priority, it being understood that action required by previous resolutions of the Commission on the subject would continue to remain operative, including the request to the Secretary-General that he provide a report to the Commission regarding their implementation. The observer for Turkey requested that his reservations with respect to the previous decisions of the Commission be placed on record.

136. The Commission adopted the draft decision without a vote.

137. For the text as adopted, see chapter II, section B, decision 1993/109.

- B. Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990

138. The Commission considered item 12 (b) in closed session at its 36th and 37th meetings, on 24 February at its 39th meeting, on 25 February, at its 44th meeting on 1 March, at its 56th meeting on 5 March and at its 66th meeting on 10 March 1993. It had before it for consideration under Economic and Social Council resolution 1503 (XLVIII) the human rights situations in Bahrain, Chad, Kenya, Rwanda, Somalia, the Sudan and Zaire, as publicly announced by the Chairman. The Chairman also announced that the Commission had decided to discontinue consideration of the human rights situation in Bahrain and Kenya. The Chairman further announced that the Commission would no longer examine the human rights situation in the Sudan and Zaire under the confidential procedure governed by Council resolution 1503 (XLVIII), in view of the public procedure concerning both countries established by Commission resolutions 1993/60 and 1993/61, respectively.

139. The Chairman reminded the members of the Commission that, in conformity with paragraph 8 of Council resolution 1503 (XLVIII), they should not make any reference in public debate to the confidential decisions taken under Council resolution 1503 (XLVIII) nor to any confidential material relating thereto.

140. At the __ meeting the Chairman announced that, in accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the

following members of the Commission had been designated to serve in their personal capacity on the Working Group on Situations meeting prior to the fiftieth session of the Commission in 1994:

141. In accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the Chairman will designate five members to serve in their personal capacity on the Working Group on Situations meeting prior to the fiftieth session of the Commission in 1994.]
