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Agenda item 21

DRAFT REPORT OF THE SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS
FORTY-FIFTH SESSION

Rapporteur: Mr. Ioan Maxim

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* E/CN.4/Sub.2/1993/L.10 and addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters and concern to, the Commission on Human Rights will be contained in document E/CN.4/Sub.2/1993/L.11 and addenda.

X. COMMUNICATIONS CONCERNING HUMAN RIGHTS: REPORT OF THE
WORKING GROUP ON COMMUNICATIONS ESTABLISHED UNDER
SUB-COMMISSION RESOLUTION 2 (XXIV) IN ACCORDANCE WITH
ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1503 (XLVIII)

1. The Sub-Commission considered item 9 at its 30th, 31st, 32nd and .. meetings on 24, 25 and 27 August 1993.

2. In its resolution 1503 (XLVIII) of 27 May 1979, the Economic and Social Council authorized the Sub-Commission to appoint a working group (Working Group on Communications) of no more than five of its members to meet annually for 10 working days, immediately before each session of the Sub-Commission, to consider all communications received by the Secretary-General under Council resolution 728F (XXVIII) of 30 July 1959, including replies of governments thereon, with a view to bringing to the attention of the Sub-Commission those communications which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights and fundamental freedoms.

3. The procedure to be followed by the Working Group on Communications in deciding on the admissibility of communications was established by Sub-Commission resolution 1 (XXIV) of 13 August 1971, and the Working Group itself was set up in accordance with Sub-Commission resolution 2 (XXIV) of 16 August 1971.

4. The Sub-Commission had before it a confidential report on the work of the Working Group on Communications at its twenty-first session, held from 19 to 30 July 1993 (E/CN.4/Sub.2/1993/R.1 and addenda), certain communications which had been kept pending before the Sub-Commission since its forty-fourth session in 1992, as well as all government replies relevant to the material before it. The Sub-Commission wished to stress in this connection that government cooperation is essential for the proper functioning of the bodies entrusted with the implementation of the procedure governed by Council resolution 1503 (XLVIII) and expressed the hope that all governments would in the future respond to communications transmitted to them and thereby contribute to further development in international cooperation in the field of human rights.

5. Mr. E.H. Guissé, Chairman-Rapporteur of the Working Group on Communications, introduced the Working Group's report and drew attention to the material before the Sub-Commission which was pending since its forty-fourth session.

6. Following the discussion which ensued, the Sub-Commission decided, pursuant to paragraph 5 of Economic and Social Council resolution 1503 (XLVIII), to refer to the Commission on Human Rights for consideration certain particular situations which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights. The Sub-Commission also decided to defer action on certain communications to its forty-sixth session, in 1994, and to take no action with regard to certain communications.

7. At its ..th meeting (closed part), on 27 August 1993, the Sub-Commission adopted a confidential report, pursuant to paragraph 8 of Council resolution 1503 (XLVIII), by which it communicated to the Commission on Human Rights its decisions taken under paragraph 5 of that resolution.

8. At its ..th meeting, on 27 August 1993, the Sub-Commission decided on the composition of its Working Group on Communications that would meet prior to its forty-sixth session. For the composition of the Working Group, see chapter II, section B, decision 1993/...

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