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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
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Agenda item 13

INTERNATIONAL PEACE AND SECURITY AS AN ESSENTIAL CONDITION FOR
THE ENJOYMENT OF HUMAN RIGHTS, ABOVE ALL THE RIGHT TO LIFE

Mr. Bengoa, Mrs. Koufa and Mr. Hatano: draft resolution

Nuclear tests and the enjoyment of human rights,
above all the right to life

The Sub-Commission on prevention of discrimination and protection of
minorities,

Bearing in mind that its main aim is to contribute with the
United Nations system to the full enjoyment of human rights, especially the
maintenance and steady improvement of conditions for world peace, the right to
life, health, security and the preservation of the environment, in particular
of civil populations,

Deeply concerned by the French Government's announcement that it will be
carrying out nuclear tests in the Pacific Ocean, at the Mururoa Atoll,

Also concerned by the fact that other countries are continuing the
practice of nuclear tests and that the arms race is not being halted once and
for all and disarmament is not becoming a reality,

Taking note of the widespread criticism and indignation aroused by this decision in many parts of the world, particularly among the populations of the countries and territories situated in the Pacific Ocean, who will be affected by the consequences of activities of this kind which can be neither measured nor evaluated,

Considering that there are many civil populations and indigenous peoples in the Pacific area who will be affected by these nuclear activities,

Taking into account the draft United Nations Declaration on the Rights of Indigenous Peoples, adopted by the Sub-Commission in its resolution 1994/46 of 26 August 1994, which clearly expresses the desire of this collegiate body of experts that areas inhabited by indigenous peoples should be demilitarized and that no nuclear tests of this kind should be carried out therein,

Recognizing that the carrying out of nuclear tests in an area far from the country itself and close to other populations unconnected with the interests of that State is a form of discrimination and of disregard for the health and environment of the people living there,

Considering that there are no valid or moral reasons of any kind to justify such nuclear tests and to ignore the present policy of nuclear disarmament,

1. Requests the Secretary-General to transmit immediately to the Government of France the text of this resolution;

2. Informs the Government of France and others that are preparing tests of this kind that the Sub-Commission considers that such nuclear tests are a violation of the human rights of the persons living in those areas in particular and of the rights of their indigenous peoples, and that in general they violate the rights of all persons who in one way or another are threatened by such practices;

3. Clearly recognizes the right of groups, non-governmental organizations and private associations concerned with human rights, the environment and disarmament, the peoples of the countries affected and, in general, all institutions including governments to protest and stage all kinds of peaceful demonstrations with the aim of halting these tests;

4. Resolves that these nuclear tests should be immediately and permanently discontinued;

5. Requests the Commission on Human Rights to appoint a Special Rapporteur to study in the field and monitor the effects and consequences of these tests on civil populations and indigenous peoples, particularly as regards their life, health and environment;

6. Decides to transmit this resolution immediately to the Secretary-General with the request that he send it to governments and give it maximum publicity.
