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COMMISSION ON HUMAN RIGHTS
Fifty-first session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO
ANY FORM OF DETENTION OR IMPRISONMENT

Argentina*, Bulgaria, Canada, Chile, Colombia, Costa Rica*,
Dominican Republic, Ecuador, France, Italy, Netherlands,
Nicaragua and Venezuela: draft resolution

1995/... Right to restitution, compensation and
rehabilitation for victims of grave
violations of human rights and
fundamental freedoms

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant instruments in the field of human rights,

Reaffirming that, pursuant to internationally proclaimed human rights principles, victims of grave violations of human rights should receive, in appropriate cases, restitution, compensation and rehabilitation,

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

Considering that the question of restitution, compensation and rehabilitation of victims of grave violations of human rights and fundamental freedoms has received insufficient attention and should be addressed in a more systematic and thorough way at the national and international levels,

Noting with interest the positive experience of countries that have established reparation policies for victims of grave violations of human rights,

Reiterating its appreciation of the study on the subject prepared by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Theo van Boven, contained in his final report (E/CN.4/Sub.2/1993/8),

Recalling its resolution 1994/35 of 4 March 1994 in which it expressed the hope that priority attention would be given to this question, in particular on the specific field of violations of human rights, and regarded the proposed basic principles and guidelines contained in the study of the Special Rapporteur as a useful basis for that purpose, and recommended that the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in conformity with Sub-Commission resolution 1993/29 of 25 August 1993, take measures to examine the proposed basic principles and guidelines with a view to making proposals thereon and report to the Commission,

1. Calls upon the international community to give increased attention to the right to restitution, compensation and rehabilitation of victims of grave violations of human rights and fundamental freedoms;

2. Encourages the Sub-Commission to continue to give consideration to the proposed basic principles and guidelines at its forty-seventh session, with a view to making substantive progress on this matter in the specific field of violations of human rights;

3. Requests States to provide information to the Secretary-General about legislation already adopted, as well as that in the process of being adopted, relating to restitution, compensation and rehabilitation of victims of grave violations of human rights and fundamental freedoms;

4. Requests the Secretary-General to submit a report on this subject, taking into account the information provided by States, to the Commission at its fifty-second session;

5. Decides to consider this matter at its fifty-second session under agenda item 10.
