



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/1996/L.77
17 April 1996

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS
AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF
THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Argentina*, Australia, Austria, Belgium*, Bulgaria, Canada, Costa Rica*,
Czech Republic*, Denmark, Finland*, France, Germany, Greece*, Hungary,
Ireland*, Italy, Latvia*, Liechtenstein*, Netherlands, New Zealand*,
Norway*, Peru, Poland*, Portugal*, Republic of Korea, Russian Federation,
Slovakia*, Spain*, Sweden*, Switzerland*, United Kingdom of Great Britain
and Northern Ireland, Uruguay* and United States of America:
draft resolution

1996/... Human rights and thematic procedures

The Commission on Human Rights,

Considering that, over the years, thematic procedures established by the Commission with regard to the consideration of questions related to the promotion and protection of all human rights have earned an important position among its human rights monitoring mechanisms,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated, and that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis,

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

Mindful that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Noting with satisfaction that an increasing number of Governments, as well as non-governmental organizations, have developed a working relationship with one or more of the thematic procedures,

Recalling its resolutions 1991/31 of 5 March 1991, 1992/41 of 28 February 1992, 1993/47 of 9 March 1993, 1994/53 of 4 March 1994 and 1995/87 of 8 March 1995,

Recalling also its various resolutions in which it urged Governments to intensify their cooperation with the thematic special rapporteurs and working groups, and to provide information requested on any measures taken in pursuance of recommendations addressed to them,

Recalling further recommendations contained in the Vienna Declaration and Programme of Action, especially in Part II, paragraph 95, in which the World Conference on Human Rights underlined the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission,

Recalling Part II, paragraph 88, of the Vienna Declaration and Programme of Action, in which the World Conference on Human Rights recommended that the States parties to international human rights instruments, the General Assembly and the Economic and Social Council should consider studying the existing human rights treaty bodies and the various thematic mechanisms and procedures with a view to promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks,

Recalling also the meetings of the special rapporteurs, representatives, experts and members or chairmen of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme with the High Commissioner for Human Rights, held from 14 to 16 June 1993, on the occasion of the World Conference on Human Rights, from 30 May to 1 June 1994 and from 29 to 31 May 1995,

Noting that some human rights violations are specific to or primarily directed against women, and that the identification and reporting of these violations demand specific awareness and sensitivity,

Noting General Assembly resolution 50/174 of 22 December 1995 on strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity,

1. Commends those Governments that have invited the thematic special rapporteurs or working groups to visit their countries;
2. Recommends that Governments consider follow-up visits designed to assist them with effective implementation of recommendations by the thematic special rapporteurs and working groups;
3. Encourages Governments to respond expeditiously to requests for information made to them through the thematic procedures, so that the procedures may carry out their mandates effectively;
4. Also encourages all Governments to cooperate more closely with the Commission through the pertinent thematic procedures and, where appropriate, by inviting a thematic special rapporteur or working group to visit their countries;
5. Invites the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed promptly on the progress made towards their implementation;
6. Invites the thematic special rapporteurs and working groups to include in their reports information provided by Governments on follow-up action, and in their conclusion their own observations thereon, including in regard to both problems and improvements, as appropriate;
7. Invites the non-governmental organizations to continue their cooperation with thematic procedures, and to ascertain that the material provided falls under the mandates of these procedures and contains the required elements;
8. Takes note of the recommendations of the meetings of the special rapporteurs, representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory

services programme with the High Commissioner for Human Rights, held from 30 May to 1 June 1994 (E/CN.4/1995/5, annex, paras. 25-26) and from 29 to 31 May 1995 (E/CN.4/1996/50, annex, paras. 62-74);

9. Encourages the thematic special rapporteurs and working groups to make recommendations for the avoidance of human rights violations;

10. Also encourages the thematic special rapporteurs and working groups to follow closely the progress made by Governments in their investigations carried out within their respective mandates;

11. Further encourages the thematic special rapporteurs and working groups to continue close cooperation with relevant treaty monitoring bodies and country rapporteurs;

12. Encourages the High Commissioner for Human Rights further to strengthen cooperation among the thematic special rapporteurs, representatives, experts, members and chairpersons of working groups of the Commission and other relevant United Nations bodies, including the human rights treaty bodies, with a view to promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks;

13. Requests the thematic special rapporteurs and working groups to include in their reports comments on problems of responsiveness and the result of analyses, as appropriate, in order to carry out their mandates even more effectively, and to include also in their reports suggestions as to areas where Governments might request relevant assistance through the programme of advisory services administered by the Centre for Human Rights;

14. Calls on the thematic special rapporteurs and working groups to include regularly in their reports gender-disaggregated data and to address the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against women, or to which women are particularly vulnerable, in order to ensure the effective protection of their human rights;

15. Suggests that the special rapporteurs, representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights consider how these mechanisms can make available information on the particular situation of individuals working for the promotion and

protection of all human rights and fundamental freedoms and how their protection can be enhanced, taking into account the ongoing deliberations of the relevant working group of the Commission;

16. Requests the Secretary-General, in close collaboration with the thematic special rapporteurs and working groups, to issue annually and sufficiently early their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission;

17. Welcomes the joint declaration (A/CONF.157/9) of the independent experts responsible for the special procedures for the protection of human rights, of 17 June 1993;

18. Requests the Secretary-General to consider the possibility of convening further periodic meetings of all the thematic special rapporteurs and the chairmen of working groups of the Commission on Human Rights in order to enable them to continue to exchange views, cooperate and coordinate more closely and make recommendations;

19. Also requests the Secretary-General, in implementing the United Nations budget for the biennium 1996-1997, to ensure the availability of such resources as are necessary for the effective implementation of all thematic mandates, including any additional tasks entrusted to the thematic special rapporteurs and working groups by the Commission;

20. Further requests the Secretary-General to present annually a list of all persons currently constituting the thematic and country procedures, including their country of origin, in an annex to the annotations to the provisional agenda of each session of the Commission on Human Rights.
