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КОМИССИЯ ПО ПРАВАМ ЧЕЛОВЕКА
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ВОПРОС О ПРАВАХ ЧЕЛОВЕКА ВСЕХ ЛИЦ, ПОДВЕРГАЕМЫХ ЗАДЕРЖАНИЮ
ИЛИ ТЮРЕМНОМУ ЗАКЛЮЧЕНИЮ В КАКОЙ БЫ ТО НИ БЫЛО ФОРМЕ

ВОПРОС О НАСИЛЬСТВЕННЫХ ИЛИ НЕДОБРОВОЛЬНЫХ ИСЧЕЗНОВЕНИЯХ

Письмо Постоянного представителя Анголы при Отделении Организации
Объединенных Наций в Женеве от 1 апреля 1997 года на имя
Председателя Комиссии по правам человека

Постоянное представительство Анголы при Отделении Организации Объединенных Наций в Женеве, пользуясь представившейся возможностью, свидетельствует свое уважение Председателю пятьдесят третьей сессии Комиссии по правам человека и просит его распространить прилагаемое письмо* в качестве официального документа Комиссии по правам человека.

(Подпись) Адриану ПАРРЕЙРА
Посол
Постоянный представитель

* Приложение воспроизводится в полученном виде только на том языке, на каком оно было представлено.

Annex

With this letter I react to the report of the Working Group on Enforced or Involuntary Disappearances on Angola, as presented in document E/CN.4/1997/34, paragraphs 47-50.

At its fifty-first session, the Commission on Human Rights, through resolution 1995/38 (para. 4) finally defined the mandate of the Working Group, which was reiterated word for word in the Commission's resolution 1996/30 last year. We quote: [to] "act as a channel of communication between families of the disappeared persons and the Government concerned, with a view to ensuring that sufficiently documented and clearly identified individual cases are investigated and to ascertain whether such information falls under its mandate and contains the required elements".

Concerning the four cases of alleged enforced or involuntary disappearance mentioned in the report, which date from 1977 (that means 20 years ago), I reaffirm that not a single complaint was legally initiated. No request for a criminal inquiry was ever either made or registered in the books of the competent organs, such as the National Administration for Criminal Investigation, or in any provincial Police Department. That is the equivalent of saying that the internal legal resources were never used, and no effort was ever made to resort to domestic remedies. Instead of conforming to its mandate, the Working Group simply ignored its intrinsic criteria.

Moreover, by asking the Special Representative of the Secretary-General in Angola to be of assistance in these "cases", the Working Group, a subsidiary organ of the Commission, gravely attempted against the sovereignty of a Member State. (We were recently informed by the secretariat of the Working Group that the Special Representative of the Secretary-General in Angola did not answer that peculiar request, which may be proof of a far better sense of modesty and respect for the institutions of a foreign State.)

The Working Group, as well as other United Nations human rights bodies, is aware of the efforts developed by the Government of Angola to guarantee continuous dialogue and open cooperation. The discontinuation of previous cases, also dating from 1977, is the best testimony certifying that the Working Group recognizes absolute transparency in our methods. Let me also say that as concerns Angola, no new cases were submitted to the attention of the Working Group.

Allow me please once more to confirm the readiness of my Government to take swift and appropriate action to deal with any instances of enforced disappearances. I guarantee that Angola has comprehensive legal safeguards to prevent such an occurrence.

In the light of the above-mentioned elements, I ask you, Mr. Chairman, to encourage the Working Group on Enforced or Involuntary Disappearances to consider the discontinuation of these cases.

(Signed) Adriano PARREIRA
Permanent Representative
