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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 9

THE ADMINISTRATION OF JUSTICE AND HUMAN RIGHTS

Mr. Ali Khan, Ms. Attah, Mr. Bossuyt, Mr. Chernichenko, Ms. Daes,
Mr. Diaz Uribe, Mr. Eide, Mr. El-Hajjé, Mr. Fix Zamudio,
Mr. Guissé, Ms. Gwanmesia, Mr. Hatano, Mr. Khalil,
Mr. Lindgren Alves, Mr. Maxim, Mr. Mehedi, Ms. Palley,
Ms. Warzazi, Mr. Weissbrodt and Mr. Yimer: draft resolution

1997/... Question of the impunity of perpetrators of violations
of human rights (civil and political rights)

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Guided by the principles enshrined in the Charter of the United Nations,
the Universal Declaration of Human Rights, the International Covenant on
Economic, Social and Cultural Rights, the International Covenant on Civil and
Political Rights, other relevant human rights instruments and the Geneva
Conventions of 12 August 1949,

Recalling the interdependence and indivisibility of civil and political
rights and economic, social and cultural rights,

Convinced that the increasingly widespread practice worldwide of
ensuring impunity for perpetrators of violations of human rights is a
fundamental obstacle to the observance of human rights,

Recalling its resolution 1992/23 of 27 August 1992, in which it was decided that a study should be carried out on the impunity of perpetrators of violations of human rights, and Commission on Human Rights resolution 1993/43 of 5 March 1993, in which the Commission endorsed the decision of the Sub-Commission,

Recalling also its resolution 1993/37 of 26 August 1993 and its resolution 1994/34 of 26 August 1994, in which it decided, in order to facilitate the treatment of the question, to entrust Mr. Louis Joinet with the completion of the first aspect of the study, concerning civil and political rights, as well as its resolution 1995/35 of 24 August 1995 and its decision 1996/119 of 29 August 1996,

Bearing in mind section II, paragraph 91 of the Vienna Declaration and Programme of Action (A/CONF.157/23), in which the World Conference on Human Rights supported the efforts of the Commission and the Sub-Commission to intensify opposition to the practice of ensuring impunity for perpetrators of violations of human rights,

1. Welcomes with satisfaction the final report of the Special Rapporteur on the question of the impunity of perpetrators of violations of human rights (civil and political rights), Mr. Louis Joinet (E/CN.4/Sub.2/1997/20) and in particular the set of principles for the protection and promotion of human rights through action to combat impunity contained in annex II thereto;

2. Thanks the Special Rapporteur for having undertaken extensive consultations during the forty-ninth session of the Sub-Commission in order to revise the set of principles in accordance with the views expressed by the Sub-Commission at its forty-ninth session;

3. Decides to transmit the revised set of principles for the protection and promotion of human rights through action to combat impunity to the Commission on Human Rights at its fifty-fourth session;

4. Recommends that the High Commissioner/Centre for Human Rights transmit the revised set of principles to the General Assembly, through the Economic and Social Council, with a view to its adoption.
