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COMMISSION ON HUMAN RIGHTS  
Fifty-sixth session  
Agenda item 9

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL  
FREEDOMS IN ANY PART OF THE WORLD

Austria\*, Belgium\*, Denmark\*, Finland\*, France, Germany, Greece\*, Ireland\*,  
Italy, Luxembourg, Netherlands\*, Portugal, Spain, Sweden\* and United Kingdom  
of Great Britain and Northern Ireland: draft resolution

2000/... East Timor

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 human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human  
rights and fundamental freedoms and to fulfil the obligations they have undertaken under the  
various international instruments in this field,

Mindful that Indonesia is a party to the Convention on the Rights of the Child, the  
Convention on the Elimination of All Forms of Discrimination against Women and the Geneva  
Conventions of 12 August 1949 on the protection of war victims,

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

1. Welcomes the report of the joint mission of Special Rapporteurs of the Commission on Human Rights to East Timor (A/54/660) and the report of the International Commission of Inquiry established under resolution S-4/1, of 27 September 1999 (A/54/726);
2. Takes note of the need to complete the systematic investigation of violations of fundamental human rights and international humanitarian law perpetrated in East Timor;
3. Also takes note of the report of the Indonesian Commission of Inquiry and the cooperation established with the International Commission of Inquiry;
4. Welcomes the general progress made and some concrete steps already taken by the Government of Indonesia to investigate fully violations of human rights and international humanitarian law and to bring those responsible to justice, and requests it to keep the Commission informed of further developments;
5. Welcomes the intention of the Secretary-General to strengthen the capacity of the United Nations Transitional Administration in East Timor, in accordance with its mandate, to conduct forensic investigations and to provide assistance to ongoing procedures;
6. Takes note of the agreement between the Transitional Administration and the Indonesian authorities to exchange information relevant to investigations, prosecutions and trials, and welcomes the signature by the Government of Indonesia and the Transitional Administration of a memorandum of understanding envisaging mutual collaboration on legal, judicial and human rights-related matters, with the aim of promoting reconciliation and ensuring future social and political stability;
7. Welcomes the enhancement of collaboration between the United Nations and the Government of Indonesia in technical cooperation programmes in the field of human rights, and requests the High Commissioner to continue to provide technical assistance and advisory services to the Government of Indonesia in its effort to investigate and bring to justice the alleged perpetrators of the violations of human rights and international humanitarian law in East Timor, including in the setting up, in Indonesia, of a special human rights court that meets international standards of justice and fairness;
8. Urges a rapid solution of the problem of the East Timorese refugees in West Timor, while taking note of positive steps taken by the Government of Indonesia to enhance security and safety in the refugee camps, in particular the agreements between the Indonesian authorities and the Transitional Administration of 22 November 1999 and 13 January 2000 on creating a secure environment for the voluntary repatriation of refugees;

9. Remains concerned at various obstacles, including intimidation and misinformation by remaining militias and other armed elements in the refugee camps, which hamper the safe and voluntary return of refugees to East Timor;
10. Urges the Government of Indonesia and the international community to continue to provide relief assistance to the refugees;
11. Decides to keep these matters under consideration, and requests the High Commissioner to submit an interim report to the General Assembly at its fifty-fifth session and to report to the Commission at its fifty-seventh session.

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