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COMMISSION ON HUMAN RIGHTS  
Sixtieth session  
Agenda item 14 (d)

**SPECIFIC GROUPS AND INDIVIDUALS: OTHER  
VULNERABLE GROUPS AND INDIVIDUALS**

**Armenia, Azerbaijan\*, Bangladesh\*, Bosnia and Herzegovina\*,  
Costa Rica, Democratic Republic of the Congo\*, Egypt,  
Ethiopia, Georgia\*, Kazakhstan\*, Kyrgyzstan\*, Libyan Arab  
Jamahiriya\*, Pakistan, Panama\*, Qatar, Saudi Arabia,  
Senegal\*, Serbia and Montenegro\*, Sudan: draft resolution**

**2004/... Missing persons**

*The Commission on Human Rights,*

*Guided by the purposes, principles and provisions of the Charter of the United Nations,*

*Guided also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977, as well as international standards of human rights, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International*

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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.

Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights,

*Recalling* its resolution 2000/60 of 25 April 2002 and General Assembly resolution 57/207 of 18 December 2002,

*Noting with deep concern* that armed conflicts continue to exist in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law,

*Noting* in this regard that the issue of persons reported missing in connection with international armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts aimed at putting an end to these conflicts,

*Welcoming* the convening in Geneva from 19 to 21 February 2003 by the International Committee of the Red Cross of the International Conference of Governmental and Non-Governmental Experts on “The Missing: action to resolve the problem of people unaccounted for as a result of armed conflict or internal violence and to assist their families” and its observations on and recommendations to address the problems of missing persons and of their families,

*Welcoming also* the undertakings made by the participants at the 28th International Conference of the Red Cross and Red Crescent, held in Geneva from 2 to 6 December 2003, through their adoption of the Agenda for Humanitarian Action, in particular its general objective 1, “respect and restore the dignity of persons missing as a result of armed conflicts or other situations of armed violence and of their families”,

1. *Urges* States strictly to observe and respect and ensure respect for the rules of international humanitarian law, as set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977;

2. *Calls upon* States that are parties to an armed conflict to take all appropriate measures to prevent persons from going missing in connection with armed conflict and to account for persons reported missing as a result of such a situation;
3. *Reaffirms* the right of families to know the fate of their relatives reported missing in connection with armed conflicts;
4. *Also reaffirms* that each party to an armed conflict, as soon as circumstances permit and at the latest from the end of active hostilities, shall search for the persons who have been reported missing by an adverse party;
5. *Calls upon* States that are parties to an armed conflict to take immediate steps to determine the identity and fate of persons reported missing in connection with the armed conflict;
6. *Requests* States to pay the utmost attention to cases of children reported missing in connection with armed conflicts and to take appropriate measures to search for and identify those children;
7. *Invites* States which are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of missing persons and to adopt a comprehensive approach to this issue, including all practical and coordination mechanisms as may be necessary, based on humanitarian considerations only;
8. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the problem of persons reported missing in connection with armed conflicts and to provide appropriate assistance as requested by the concerned States;
9. *Invites* all relevant human rights mechanisms and procedures, as appropriate, to address the problem of persons reported missing in connection with armed conflicts in their forthcoming reports to the Commission;

10. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

11. *Also requests* the Secretary-General to report to the Commission at its sixty-second session on the progress made in the implementation of the present resolution;

12. *Decides* to remain seized of the matter at its sixty-second session.

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