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COMMISSION ON HUMAN RIGHTS
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Agenda item 12

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Banqladesh, Brunei Darussalam*, Indonesia, Iran (Islamic Republic of),
Jordan*, Mauritania, Malaysia, Oman*, Pakistan, Qatar*, Senegal*,
Sudan and Tunisia: draft resolution

Situation of human rights in the Republic of Bosnia and Herzegovina

The Commission on Human Rights,

Recalling its resolutions 1992/S-1/1 of 14 August 1992 and 1992/S-2/1 of
1 December 1992, 1993/7 and 1993/8 of 23 February 1993, General Assembly
resolutions 48/143 and 48/153 of 20 December 1993 and all relevant resolutions
of the Security Council,

Recalling also the decision by the World Conference on Human Rights on
15 June 1993 to appeal to the Security Council to take the necessary measures
to end the genocide taking place in Bosnia and Herzegovina,

Recalling further the Order of the International Court of Justice on
8 April 1993 for provisional measures, reaffirmed on 13 September 1993, that
the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro)
should immediately, in pursuance of its undertaking in the Convention on the
Prevention and Punishment of the Crime of Genocide of 9 December 1948, take
all measures within its power to prevent commission of the crime of genocide,

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

Reiterating its deep concern at the massive and systematic violations of human rights, particularly the practice of "ethnic cleansing" still under way in the territory controlled by Bosnian Serbs, as well as similar acts being done by Bosnian Croat extremists, whose principal victims are the Bosnian Muslim populations,

Deeply aware that the continuing conflict in the Republic of Bosnia and Herzegovina and acts committed by individuals of different affiliations as part of a deliberate policy and practice of "ethnic cleansing" and genocide, including acts provoked by such a policy, seriously aggravate the human rights situation in the Republic of Bosnia and Herzegovina,

Welcoming the establishment of the International Tribunal for prosecuting serious violations of international humanitarian law, committed in the territory of the former Yugoslavia pursuant to Security Council resolution 827 (1993), and commending the work of the Commission of Experts established pursuant to Security Council resolution 780 (1993),

Noting with anguish the contents of the reports of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia and in particular the sixth report (E/CN.4/1994/110),

Moved by the horrible massacre at the Markale market in Sarajevo on 5 February 1994 which resulted in the renewal of the international community's determination to bring an end to the conflict in Bosnia and Herzegovina,

1. Strongly condemns the policy of genocide and "ethnic cleansing", the indiscriminate shelling of civilian populations, particularly in Sarajevo, and in the other declared safe areas of Tuzla, Bihac, Gorazde, Srebrenica and Zepa, as well as Mostar and other endangered areas in central Bosnia and elsewhere, the forced deportation of populations, the attacks against civilian targets, continued detention of civilians in appalling conditions in prisons and camps, the use of military force against defenceless civilians, the continued practice of rape as a weapon of war and the strategy of strangulation of populations by obstructing food supplies and other essentials to civilian populations;

2. Strongly demands that the authorities of the Republics of Serbia and Montenegro cease their interference in and support to the self-proclaimed Serb entity in pursuing aggressive acts in the Republic of Bosnia and Herzegovina, which flagrantly violate international law and fundamental principles of human rights;

3. Strongly urges the authorities of the Republics of Croatia and Bosnia and Herzegovina to do their utmost in improving the relations between the Bosnian Croats and the Bosnian Muslims and towards the urgent improvement of the human rights and humanitarian situation in the Republic of Bosnia and Herzegovina;
4. Categorically condemns all violations of human rights and international humanitarian law which occur in Bosnia and Herzegovina;
5. Reaffirms the right of all refugees and displaced persons to return to their homes and the invalidity of forced transfers of property and other acts made under duress, and urges the international community to assist in reversing the consequences of these acts;
6. Urges the relevant international organizations and bodies to make determined efforts to enhance and facilitate the investigations towards the resolution of cases of missing persons;
7. Urges all States, relevant international organizations and bodies and all parties to the conflict to cooperate fully with the efforts of the Commission of Experts and the International Tribunal and to provide all necessary support and appropriate assistance, with a view to bringing to justice all persons who perpetrate or authorize serious violations of customary international human rights and humanitarian law or fail to prevent such violations while being able to do so;
8. Demands firm and resolute action by all concerned to put an end to all human rights violations and breaches of international law including "ethnic cleansing", commission of the crime of genocide and the commission of rape and sexual abuse against women and children;
9. Calls for an early establishment of a just and lasting peace in the Republic of Bosnia and Herzegovina by, inter alia, effective and immediate implementation of the relevant resolutions;
10. Commends the Special Rapporteur for his activities and, in particular, his courage and tenacity in accomplishing his objectives under the most trying circumstances, and calls on all parties to facilitate field missions by his office for the effective discharge of his mandate;
11. Requests the Secretary-General to report to the Commission at its fifty-first session on the implementation of the present resolution.
