



Economic and Social  
Council

Distr.  
LIMITED

E/CN.4/2000/L.11/Add.5  
26 April 2000

Original: ENGLISH

---

COMMISSION ON HUMAN RIGHTS  
Fifty-sixth session  
Agenda item 21 (b)

REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE  
FIFTY-SIXTH SESSION OF THE COMMISSION

Draft report of the Commission

Rapporteur: Ms. Marie GERVAIS-VIDRICAIRE

CONTENTS\*

<u>Chapter</u>		<u>Page</u>
II.	Resolutions and decisions adopted by the Commission at its fifty-sixth session	
A.	<u>Resolutions</u>	
2000/47.	Promoting and consolidating democracy	
2000/48.	Human rights of migrants	
2000/49.	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	

---

\* Documents E/CN.4/2000/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/2000/L.11 and addenda.

GE.00-13462 (E)

CONTENTS (continued)

<u>Chapter</u>		<u>Page</u>
II.		
A.	<u>Resolutions (continued)</u>	
2000/50.	Tolerance and pluralism as indivisible elements in the promotion and protection of human rights	
2000/51.	Human rights of persons with disabilities	
2000/52.	Rights of persons belonging to national or ethnic, religious and linguistic minorities	
2000/53.	Internally displaced persons	
2000/54.	Violence against women migrant workers	
2000/55.	Human rights and mass exoduses	
2000/56.	Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People	
2000/57.	Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994	
2000/58.	Situation in the Republic of Chechnya of the Russian Federation	
B.	<u>Decisions</u>	
2000/102.	Globalization and its impact on the full enjoyment of all human rights	
2000/103.	Question of human rights in Cyprus	
2000/104.	The rights of non-citizens	
2000/105.	Postponement of consideration of draft resolution E/CN.4/2000/L.63	
2000/106.	Study on indigenous land rights	

A. Resolutions

2000/47. Promoting and consolidating democracy

The Commission on Human Rights,

Bearing in mind the purposes and principles of the Charter of the United Nations, and reaffirming that one of the basic aims of the United Nations is to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, disability, birth or other status,

Recalling its resolution 1999/57 of 27 April 1999 on promotion of the right to democracy,

Reaffirming the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights treaties and the foundation of any democratic society,

Recalling that all peoples have the right of self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling also that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights recommended that priority be given to national and international action to promote democracy, development and human rights,

Recalling further General Assembly resolution 53/243 of 13 September 1999 containing the Declaration and Programme of Action for a Culture of Peace,

Reaffirming its commitment to the process of democratization of States, and recognizing that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that good governance, including through transparency and accountability, is indispensable for building peaceful, prosperous and democratic societies,

Aware of the crucial importance of active involvement of civil society in processes of governance that affect the life of people,

Recalling commitments undertaken by Member States for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Welcoming measures such as resolution 1080 of the Organization of American States, decision 12/XXXV of the Organization of African Unity and the 1991 Moscow Document on the Human Dimension of the Conference for Security and Cooperation in Europe, which commit member States to take certain steps in the event of an interruption of democratic government, as well as the 1991 Harare Commonwealth Declaration which commits members to fundamental democratic principles,

Encouraged by the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of democratic societies where individuals have the opportunity to shape their own destiny,

Noting the initiatives taken by the countries that participated in the International Conferences of New or Restored Democracies, held in Manila in June 1988, in Managua in July 1994 and in Bucharest in September 1997,

Noting that the Fourth International Conference of New or Restored Democracies is scheduled to be held in Cotonou in December 2000, the initiative taken by Poland to host a meeting of Governments committed to the democratic path in Warsaw in June 2000, as well as the initiative of the Government of Mali to host in Bamako, in 2000, following the Declaration of the 1999 Moncton Summit of the International Organization of the Francophonie, an international symposium at ministerial level on the practices of democracy in the francophone areas,

1. Calls upon States:

(a) To consolidate democracy through the promotion of pluralism, the protection of human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of competent and public institutions, including an independent judiciary, effective and accountable legislature and public service and an electoral system that ensures periodic, free and fair elections;

(b) To promote, protect and respect all human rights and fundamental freedoms, in particular:

- (i) Freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media;
  - (ii) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right freely to express, preserve and develop their identity without any discrimination and in full equality before the law;
  - (iii) The rights of indigenous people;
  - (iv) The rights of children, the elderly and persons with physical or mental disabilities;
  - (v) By actively promoting gender equality with the aim of achieving full equality between men and women;
  - (vi) By considering becoming parties to international human rights instruments;
  - (vii) By fulfilling their obligations under international human rights instruments to which they are parties;
- (c) To strengthen the rule of law by:
- (i) Ensuring equality before the law and equal protection under the law;
  - (ii) Ensuring the right to liberty and security of person, to equal access to justice, and to be brought promptly before a judge or other officer authorized by law to exercise judicial power in the case of detention, to avoid arbitrary arrest;
  - (iii) Guaranteeing the right to a fair trial;
  - (iv) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;
  - (v) Promoting continuously the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;
  - (vi) Guaranteeing that persons who are deprived of their liberty are treated with humanity and dignity;

- (vii) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights, as well as effective protection for human rights defenders;
  - (viii) Including information on human rights obligations in training for civil servants, police forces and the military;
  - (ix) Ensuring that the military remains accountable to democratically elected civilian government;
- (d) To develop, nurture and maintain an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:
- (i) Ensuring the right of everyone to take part in the government of his/her country, directly or through freely chosen representatives;
  - (ii) Guaranteeing the right freely to vote and to be elected in a free and fair process at regular intervals, by universal and equal suffrage, open to multiple parties, conducted by secret ballot;
  - (iii) Taking measures as appropriate to address the representation of under-represented segments of society;
  - (iv) Ensuring, through legislation, institutions and mechanisms, the freedom to form democratic political parties as well as transparency and fairness of the electoral process, including through appropriate access to funds and free, independent and pluralistic media;
- (e) To create and improve the legal framework and necessary mechanisms for enabling the wide participation of members of civil society - individuals, groups and associations - in the development of democracy, by:
- (i) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interaction as a means of strengthening and developing democracy;
  - (ii) Fostering, through education and other means, awareness and respect for democratic values;
  - (iii) Encouraging the exercise of the right to form, join and participate in non-governmental organizations, associations or groups, including trade unions;

- (iv) Guaranteeing mechanisms for the involvement of civil society in processes of governance and developing cooperation between local authorities and non-governmental organizations;
  - (v) Providing or improving the legal and administrative framework for non-governmental, community-based and other civil society organizations;
  - (vi) Promoting active civil education and education on human rights, inter alia by organizations of civil society;
- (f) To strengthen democracy through good governance by:
- (i) Improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials;
  - (ii) Taking legal, administrative and political measures against corruption, disclosing it and punishing all those involved in acts of corruption of public officials;
  - (iii) Bringing government closer to the people by appropriate levels of devolution;
  - (iv) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;
  - (v) Fostering high levels of competence, ethics and professionalism within the civil service, and its cooperation with the public, inter alia by providing appropriate training to the civil service;
- (g) To strengthen democracy by promoting sustainable development, in particular by:
- (i) Taking effective measures aimed at the progressive realization of economic, social and cultural rights, such as the right to education and the right to a standard of living adequate for health and well-being, including food, clothing, housing and medical care and necessary social services, individually and through international cooperation;
  - (ii) Also taking effective measures aimed at overcoming social inequalities and eliminating poverty;
  - (iii) Promoting economic freedom and pursuing active policies to provide opportunities for productive employment and sustainable livelihood;

- (iv) Ensuring equal access to economic opportunities and equal pay and other rewards for work of equal value;
- (v) Creating a legislative and regulatory framework with a view to promoting sound and sustainable economic development;
- (h) To enhance social cohesion and solidarity by:
  - (i) Developing and strengthening institutional and educational capabilities, at local and national levels, to mediate conflicts, to resolve disputes peacefully, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements;
  - (ii) Improving social protection systems and working towards ensuring basic social services for all;
  - (iii) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations, as reflected in the International Labour Organization core Conventions;

2. Requests the Office of the United Nations High Commissioner for Human Rights and human rights mechanisms of the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights to pay due attention, within their mandates, to the content of paragraph 1;

3. Requests the High Commissioner, in her report to the Commission at its fifty-seventh session, to reflect progress on the implementation of the present resolution;

4. Requests the Secretary-General and the High Commissioner to bring the present resolution to the attention of member States, the competent United Nations organs and intergovernmental and non-governmental organizations and to disseminate it on the widest possible basis;

5. Decides to continue consideration of the matter at its fifty-seventh session under the same agenda item.

62nd meeting

25 April 2000

[Adopted by a roll-call vote of 45 votes to none,  
with 8 abstentions. See chap. XI.]



2000/48. Human rights of migrants

The Commission on Human Rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming that every State party to the International Covenant on Civil and Political Rights must ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant,

Reaffirming also that every State party to the International Covenant on Economic, Social and Cultural Rights must undertake to guarantee that the rights enunciated in that Covenant will be exercised without discrimination of any kind, including on the basis of national origin,

Reaffirming the provisions concerning migrants adopted by the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women,

Recalling General Assembly resolution 40/144 of 13 December 1985, by which it approved the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live,

Taking note of the large and increasing number of migrants in the world,

Deeply concerned at the manifestations of racism, xenophobia and other forms of discrimination and inhuman and degrading treatment against migrants in different parts of the world,

Bearing in mind the situation of vulnerability in which migrants frequently find themselves, owing, inter alia, to their absence from their State of origin and to the difficulties they encounter because of differences of language, custom and culture, as well as the economic and social difficulties and obstacles for the return of migrants who are non-documented or in an irregular situation to their States of origin,

Also bearing in mind the need for a focused and consistent approach towards migrants as a specific vulnerable group, particularly women and children migrants,

Encouraged by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

Taking note with appreciation of the recommendations by the Working Group of intergovernmental experts on the human rights of migrants on strengthening the promotion, protection and implementation of the human rights of this large vulnerable group,

Noting with appreciation the efforts made by some States to penalize the international trafficking of migrants and to protect the victims of this illegal activity,

Bearing in mind the mandate of the Special Rapporteur on the human rights of migrants contained in its resolution 1999/44 of 27 April 1999,

Also bearing in mind resolution 54/166, in which the General Assembly welcomes the Commission's decision to appoint a special rapporteur on the human rights of migrants,

Resolved to ensure respect for the human rights and fundamental freedoms of all migrants,

1. Acknowledges that the principles and standards embodied in the Universal Declaration of Human Rights apply to everyone, including migrants;
2. Requests States, in conformity with their respective constitutional systems, the Universal Declaration of Human Rights and the international instruments to which they are party, which may include the International Covenants on human rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and other applicable international human rights instruments, effectively to promote and protect the fundamental human rights of all migrants;
3. Welcomes the first report of the Special Rapporteur (E/CN.4/2000/82) submitted pursuant to resolution 1999/44, especially the Plan of Action and recommendations;
4. Encourages the Special Rapporteur to continue examining ways and means of overcoming existing obstacles to the full and effective protection of the human rights of this vulnerable group, including obstacles and difficulties for the return of migrants who are non-documented or in an irregular situation, in conformity with her mandate contained in Commission on Human Rights resolution 1999/44;

5. Requests the Special Rapporteur, in carrying out her mandate and within the framework of the Universal Declaration of Human Rights and all other international human rights instruments, to request, receive and exchange information on violations of the human rights of migrants, wherever they may occur, from Governments, treaty bodies, specialized agencies, special rapporteurs for various human rights questions and from intergovernmental organizations, other competent organizations of the United Nations system and non-governmental organizations, including migrants' organizations, and to respond effectively to such information;

6. Requests the aforementioned mechanisms to cooperate with the Special Rapporteur;

7. Requests the Special Rapporteur to include in her work schedule a programme of visits for the next two years, with a view to improving the protection afforded to the human rights of migrants, thus implementing as broadly and fully as possible all the aspects of her mandate;

8. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable her to fulfil her mandate effectively;

9. Requests all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested and to react promptly to her urgent appeals;

10. Welcomes the Special Rapporteur's recommendation that close links be established between her work and that of the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, within the framework of the Conference's objectives, and encourages her to help identify the main issues which the Conference should address;

11. Requests the Special Rapporteur, in carrying out her mandate, to take into account bilateral and regional negotiations which aim at addressing, inter alia, the return and reinsertion of migrants who are non-documented or in an irregular situation;

12. Strongly condemns all forms of racial discrimination and xenophobia related to access to employment, vocational training, housing, schooling, health services and social services, as well as services intended for use by the public, and welcomes the active role played by governmental and non-governmental organizations in combating racism and assisting individual victims of racist acts, including migrant victims;

13. Calls upon all States to consider reviewing and, where necessary, revising immigration policies with a view to eliminating all discriminatory policies and practices against migrants and to provide specialized training for government policy-making and law enforcement, migration and other concerned officials, thus underlining the importance of effective action to create conditions that foster greater harmony and tolerance within societies;

14. Reiterates the need for all States to protect fully the universally recognized human rights of migrants, especially those of women and children, regardless of their legal status, and to treat them humanely, particularly with regard to assistance and protection, applying inter alia the measures provided under the Vienna Convention on Consular Relations regarding the right to receive consular assistance by the country of origin;

15. Encourages Member States that have not yet done so to enact domestic legislation to combat international trafficking of migrants, which should take into account, in particular, trafficking that endangers the lives of migrants or entails different forms of servitude or exploitation, such as any form of debt bondage, slavery and sexual or labour exploitation, and to strengthen international cooperation to combat such trafficking;

16. Calls upon all States to protect the human rights of migrant children, particularly unaccompanied migrant children, ensuring that the best interests of the children are the paramount consideration, and encourages the relevant United Nations bodies, within the framework of their respective mandates, to pay special attention to the conditions of migrant children in all States and, where necessary, to put forward recommendations to strengthen their protection;

17. Requests the Economic and Social Council to consider the possibility of recommending that the Secretary-General adopt 18 December as “International Migrant’s Day”;

18. Requests the Special Rapporteur to submit a report on her activities to the Commission at its fifty-seventh session;

19. Requests the Secretary-General to give the Special Rapporteur all necessary human and financial assistance for the fulfilment of her mandate;

20. Decides to examine this question further, as a matter of priority, at its fifty-seventh session under the same agenda item.

62nd meeting

25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/49. International Convention on the Protection of the Rights of  
All Migrant Workers and Members of Their Families

The Commission on Human Rights,

Reaffirming once more the permanent validity of the principles and standards embodied in the principal instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Racial Discrimination against Women and the Convention on the Rights of the Child,

Bearing in mind the principles and standards established within the framework of the International Labour Organization and the importance of the task carried out in connection with migrant workers and their families in other specialized agencies and in various United Nations bodies,

Reiterating that, despite the existence of an already established body of principles and norms, there is a need to make further efforts to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families,

Concerned at the situation of migrant workers and members of their families and at the marked increase in migratory movements that has occurred, especially in certain parts of the world,

Underlining the importance of the creation of conditions to foster greater harmony between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrant workers,

Recalling General Assembly resolution 45/158 of 18 December 1990, by which the Assembly adopted and opened for signature, ratification and accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, contained in the annex to the resolution,

Considering that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights urges all States to guarantee the protection of all migrant workers and their families and invites them to consider the possibility of signing and ratifying the Convention at the earliest possible time,

1. Expresses its deep concern at the growing manifestations of racism, xenophobia and other forms of discrimination and inhuman or degrading treatment against migrant workers in different parts of the world;
2. Urges countries of destination to review and adopt, as appropriate, measures to prevent the excessive use of force and to ensure that their police forces and competent migration authorities comply with the basic standards relating to the decent treatment of migrant workers and their families, inter alia, through the organization of training courses on human rights;
3. Takes note of the report of the Secretary-General (E/CN.4/2000/77) on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and welcomes the fact that some additional member States have recently signed, ratified or acceded to the Convention;
4. Welcomes the fact that some member States have signed or ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families or have acceded to it;
5. Calls upon all member States to consider the possibility of signing and ratifying or acceding to the Convention as a matter of priority, expresses the hope that this international instrument will enter into force at an early date and observes that, in accordance with article 87 of the Convention, only eight more ratifications or accessions are needed for it to enter into force;
6. Requests the Secretary-General to provide all facilities and assistance necessary for the active promotion of the Convention, through the World Public Information Campaign for Human Rights and the programme of advisory services in the field of human rights;
7. Welcomes the global campaign for entry into force of the Convention and invites organizations and agencies of the United Nations system, as well as intergovernmental and non-governmental organizations, to continue and intensify their efforts with a view to disseminating information on the Convention and promoting an understanding thereof;
8. Requests the Secretary-General to submit to the Commission at its fifty-seventh session a report on the status of the Convention and on the efforts made by the Secretariat to promote the Convention and the protection of the rights of migrant workers;

9. Decides to include in the provisional agenda of its fifty-seventh session an item entitled “Specific groups and individuals: migrant workers”.

62nd meeting  
25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/50. Tolerance and pluralism as indivisible elements in the promotion and protection of human rights

The Commission on Human Rights,

Recalling the Preamble to the Charter of the United Nations, which enjoins the peoples of the United Nations to practise tolerance and live together in peace with one another as good neighbours,

Recalling also the principles and purposes of the Charter of the United Nations,

Recalling also that the Universal Declaration of Human Rights affirms that education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms and shall promote understanding, tolerance and friendship among all nations and all racial or religious groups,

Recalling further the relevant paragraphs of the Vienna Declaration and Programme of Action (A/CONF.157/23),

Noting that tolerance involves a positive acceptance of diversity and that pluralism encompasses the willingness to accord equal respect to the civil, political, economic, social and cultural rights of all individuals, without distinction based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recognizing that tolerance and pluralism strengthen democracy, facilitate the full enjoyment of all human rights and thereby constitute a sound foundation for civil society, social harmony and peace,

Fully aware that, even at the onset of the twenty-first century, forces of aggressive nationalism, absence of religious tolerance and ethnic extremism continue to produce fresh challenges,

Noting that in a multi-ethnic, multi-religious and multicultural world, no society is beyond the dangers posed by the absence of tolerance and the violence that this can breed,

Underlining the importance attached by the Committee on the Elimination of Racial Discrimination to States parties providing for educational measures for the teaching of the principles of tolerance and peaceful coexistence in a multicultural society,

Conscious that all forms of discrimination, including on ethnic grounds, are factors that promote intolerance and infringe upon human rights and fundamental freedoms, which in turn may threaten democratic pluralism and endanger harmony, peace and stability both within States and internationally,

Convinced that the guiding principles of democratic society, such as equality, the rule of law, accountability of Government, the observance of human rights, respect for pluralism and the practice of tolerance, need to be actively promoted by the international community,

Recognizing that efforts to promote tolerance require cooperation by States, civil society and individuals,

Recognizing also that promoting a culture of tolerance through human rights education is an objective that must be advanced in all States, and that the Office of the United Nations High Commissioner for Human Rights and mechanisms of the United Nations human rights system have an important role to play in this regard,

1. Condemns unequivocally all violent acts and activities that infringe upon human rights, fundamental freedoms and democracy and thereby undermine the values of tolerance and pluralism;

2. Reiterates the obligation of all States and the international community:

(a) To promote universal respect for and observance of all human rights and fundamental freedoms;

(b) To protect effectively the human rights of all persons belonging to national or ethnic, religious and linguistic minorities without any discrimination and in full equality before the law;

(c) To oppose all forms of discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status in order to promote tolerance and pluralism at the national and international levels and take all appropriate means towards their prevention and elimination;

(d) To take steps to prevent all manifestations of hatred, intolerance and acts of violence, in particular through education and dialogue;



(e) To promote and enhance tolerance, coexistence and harmonious relations between ethnic, religious, linguistic and other groups and ensure that the values of pluralism, respect for diversity and non-discrimination are promoted effectively;

(f) To foster a culture conducive to promoting and protecting human rights, fundamental freedoms and tolerance, inter alia through education leading to genuine pluralism, a positive acceptance of diversity of opinion and belief, and respect for the dignity of the human person;

3. Notes with appreciation the activities undertaken by the Office of the High Commissioner for Human Rights to promote the values of tolerance and pluralism and calls upon the High Commissioner and her Office to take further steps:

(a) To include, in the work programmes of the Office, within overall existing resources, the promotion of tolerance, where appropriate through workshops and seminars, using mass media and non-governmental organizations, and, through its programme of advisory services and technical cooperation, to assist countries in their national programmes;

(b) To undertake, in that regard, specific educational initiatives and public-awareness activities for the promotion of tolerance and pluralism within the programmes and activities being implemented as part of the United Nations Decade for Human Rights Education (1995-2004), the International Decade of the World's Indigenous People (1995-2004) and the Third Decade to Combat Racism and Racial Discrimination (1993-2003), and in the context of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the preparations for the twentieth anniversary of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;

(c) To advise or assist countries, upon request, through the programme of advisory services and technical cooperation, to put in place effective safeguards, including appropriate legislation, to guarantee the full enjoyment of all human rights by all segments of their population, without discrimination of any kind;

4. Calls upon the High Commissioner for Human Rights and her Office to include details of activities undertaken by the Office to implement the present resolution in her report to the Commission at its fifty-eighth session;

5. Also calls upon the relevant mechanisms of the Commission:

(a) To continue to attach the highest priority to the effective promotion, at the national and international levels, of the values of democracy, pluralism and tolerance;

- (b) To further study situations and conditions that promote intolerance;
- (c) To continue efforts aimed at identifying commonly accepted principles and best practices to promote tolerance and pluralism;

6. Welcomes the role of civil society, particularly non-governmental organizations working at the grass-roots level, in disseminating the importance of tolerance and pluralism through their awareness-raising activities;

7. Decides to consider this question at its fifty-eighth session under the appropriate agenda item.

62nd meeting

25 April 2000

[Adopted without a vote. See chap. XIV.]

#### 2000/51. Human rights of persons with disabilities

The Commission on Human Rights,

Mindful of the pledge made by States, under the Charter of the United Nations, to take action jointly and separately, in cooperation with the United Nations, in order to promote a better quality of life, full employment, and conditions for economic and social progress and development,

Recalling that all persons with disabilities have the right to protection against discrimination and to full and equal enjoyment of their human rights, as laid down, inter alia, in the provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (Convention No. 159) of the International Labour Organization,

Recalling also the report of the Secretary-General to the General Assembly on the third quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons (A/52/351),

Reaffirming the continuing validity and value of the World Programme of Action concerning Disabled Persons, adopted by the General Assembly at its thirty-seventh session, which provides a firm and innovative framework for promoting and protecting the human rights of persons with disabilities,

Mindful of the unreserved reaffirmation in the Vienna Declaration and Programme of Action and by the Fourth World Conference on Women of the human rights and fundamental freedoms of persons with disabilities, as well as the recognition in the Programme of Action of the International Conference on Population and Development and the Programme of Action of the World Summit for Social Development of a pressing need for, inter alia, the realization of the goals of full participation and equality for persons with disabilities,

Reaffirming its resolution 1998/31 of 17 April 1998 on the human rights of persons with disabilities,

Recalling General Assembly resolution 48/96 of 20 December 1993, by which the Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (Standard Rules),

Noting the final report of the Special Rapporteur of the Commission for Social Development on monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (E/CN.5/2000/3, annex),

Reaffirming Economic and Social Council resolutions 1997/19 of 21 July 1997 on equalization of opportunities for persons with disabilities and 1997/20 of 21 July 1997 on children with disabilities,

Recalling General Assembly resolution 52/107 of 12 December 1997, in which the Assembly called for the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities,

Welcoming initiatives to hold international conferences relating to persons with disabilities, including the holding of the Sixth World Assembly of Disabled People's International in Japan in 2002,

Re-emphasizing the responsibility of Governments for removing or facilitating the removal of barriers and obstacles to the full integration and participation of persons with disabilities in society, and supporting their efforts to develop national policies to reach specific objectives,

Recognizing the contribution of non-governmental organizations, especially organizations of persons with disabilities, in the global effort to bring about full participation and equality for persons with disabilities and to ensure the full enjoyment of human rights by persons with disabilities,

Noting the reports of Mr. Leandro Despouy, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and the Office of the United Nations High Commissioner for Human Rights publication Human Rights and Disabled Persons, in which international mechanisms for the promotion and protection of the human rights of persons with disabilities, such as an ombudsman, are proposed,

Noting also the International Labour Organization survey of the law and practice of States parties to Convention No. 159,

Noting with interest the adoption by the Organization of American States of the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities on 7 June 1999 as one good example of regional concern and action,

Noting with interest also the changes brought about by the Treaty of Amsterdam 1997 enabling the European Community to adopt appropriate measures to combat discrimination on the grounds, inter alia, of disability,

Concerned at the extent of disabilities caused by the indiscriminate use of anti-personnel mines, particularly among civilian populations,

1. Recognizes that any violation of the fundamental principle of equality or any discrimination or other negative differential treatment of persons with disabilities inconsistent with the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities is an infringement of the human rights of persons with disabilities;
2. Calls upon the Secretary-General to maintain the integrity of programmes within the United Nations system relating to persons with disabilities, including the United Nations Voluntary Fund on Disability, in order to promote the rights and the equalization of opportunities and full inclusion within societies of persons with disabilities;
3. Notes with appreciation the valuable work undertaken by the Special Rapporteur on disability of the Commission for Social Development as recommended in resolution E/CN.5/2000/L.6 of that Commission;
4. Invites the Special Rapporteur of the Commission for Social Development to address the Commission on Human Rights at its fifty-eighth session;
5. Takes note of the third global survey undertaken by the office of the Special Rapporteur on disability in collaboration with the World Health Organization;

6. Calls upon States to cooperate fully with the Special Rapporteur, to meet his requests for information and to provide relevant data to the Committee on Economic, Social and Cultural Rights;
7. Encourages non-governmental organizations active in the promotion and protection of the human rights of persons with disabilities to cooperate closely with each other and to provide relevant information to the Committee on Economic, Social and Cultural Rights and to the Office of the High Commissioner for Human Rights;
8. Also encourages such non-governmental organizations to avail themselves of the technical assistance of the Office of the High Commissioner for Human Rights to assist them to function effectively in the human rights sphere;
9. Encourages Governments to support non-governmental organizations active in the promotion and protection of the human rights of persons with disabilities in accordance with Rule Eighteen of the Standard Rules;
10. Recognizes the right of persons with disabilities, individually and collectively, to form and become members of organizations of persons with disabilities and the right of such organizations to speak for and act as legitimate representatives of their members;
11. Invites all the human rights treaty monitoring bodies to respond positively to its invitation to monitor the compliance of States with their commitments under the relevant human rights instruments in order to ensure full enjoyment of those rights by persons with disabilities, and urges Governments to cover fully the question of the human rights of persons with disabilities in complying with reporting obligations under the relevant United Nations human rights instruments;
12. Invites all special rapporteurs, in carrying out their mandates, to take into account the situation and human rights of persons with disabilities;
13. Urges Governments to implement, with the cooperation and assistance of relevant organizations, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, having particular regard for the needs of women, children and persons with developmental and psychiatric disabilities in order to guarantee their human dignity and integrity;
14. Invites Governments and the private sector to contribute to the United Nations Voluntary Fund on Disability, with a view to providing additional support for the

implementation of the Standard Rules, within the context of the World Programme of Action concerning Disabled Persons;

15. Requests the Secretary-General to continue to ensure appropriate support for the effective functioning of the Long-Term Strategy to Implement the World Programme of Action concerning Disabled Persons to the Year 2000 and Beyond;

16. Expresses grave concern that situations of armed conflict have especially devastating consequences for the human rights of persons with disabilities;

17. Welcomes increased international efforts in various forums with respect to anti-personnel mines, and in this regard takes due note of the conclusion and entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, as well as of the amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;

18. Calls upon all States and relevant United Nations bodies, including the Voluntary Trust Fund for Assistance in Mine Clearance, to contribute on an ongoing basis to international mine-clearance efforts, and urges States to take further action to promote gender- and age-appropriate mine-awareness programmes and rehabilitation, thereby reducing the number and the plight of victims;

19. Encourages the development of programmes for persons with disabilities to enable them to develop their potential to participate fully in all aspects of society;

20. Requests the Secretary-General to report biennially to the General Assembly on the progress of efforts to ensure the full recognition and enjoyment of the human rights of persons with disabilities;

21. Also requests the Secretary-General to make available to the Commission at its fifty-seventh session the latest report of the Special Rapporteur on disability of the Commission for Social Development on his monitoring of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities;

22. Calls upon the United Nations Development Programme and all intergovernmental institutions for development cooperation to integrate disability measures into their mainstream activities;

23. Requests that all United Nations organizations and specialized agencies address the problems that exist in creating equal opportunities for persons with disabilities at all levels;

24. Encourages Governments to work towards developing appropriate education policies and practices for children and adults with disabilities, to include persons with disabilities in strategies and plans aimed at eradicating poverty, promoting education and enhancing employment, and to take account of the right of persons with disabilities to housing, shelter, transport and supportive equipment;

25. Invites the International Labour Organization, in cooperation with Governments and intergovernmental bodies, to take the lead internationally in formulating policies and strategies that will lead to equal job opportunities;

26. Invites Governments and non-governmental organizations to collect and collate appropriate information and data on persons with disabilities to assist in the formulation of effective policies to address issues of equality;

27. Recommends that the Office of the High Commissioner for Human Rights take account of information on legislation affecting the human rights of persons with disabilities which has been collected by the Special Rapporteur on disability of the Commission for Social Development;

28. Invites multilateral development agencies, in the light of the Standard Rules, to pay due regard to the question of access and related disability rights issues in connection with the projects they sponsor and fund;

29. Reaffirms its commitment to ensuring that the human rights of persons with disabilities and their concerns for full participation in all aspects of society continue to be addressed in all of its work;

30. Invites the High Commissioner for Human Rights, in cooperation with the Special Rapporteur on disability of the Commission for Social Development, to examine measures to strengthen the protection and monitoring of the human rights of persons with disabilities and to solicit input and proposals from interested parties, including particularly the Panel of Experts;

31. Decides to continue its consideration of this question at its fifty-eighth session under the same agenda item.

62nd meeting  
25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/52. Rights of persons belonging to national or ethnic, religious and linguistic minorities

The Commission on Human Rights,

Recalling General Assembly resolution 47/135 of 18 December 1992, as well as subsequent resolutions of the Assembly on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, Commission on Human Rights resolution 1995/24 of 3 March 1995 and Economic and Social Council decision 1998/246 of 30 July 1998,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Acknowledging that national or ethnic, religious and linguistic minorities contribute to the diversity of societies and that minority rights promote tolerance within societies, and recognizing that promoting a culture of tolerance through human rights education shall be advanced by all States,

Concerned at the growing frequency and severity of disputes and conflicts regarding minorities in many countries, and their often tragic consequences, and that persons belonging to minorities are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Concerned also at instances of victimization or marginalization of persons belonging to minorities in situations of political or economic instability,

Taking note of Sub-Commission on the Promotion and Protection of Human Rights resolution 1999/23 of 26 August 1999 on prevention of discrimination against and the protection of minorities,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,



1. Takes note of the report of the Secretary-General on the rights of persons belonging to national or ethnic, religious and linguistic minorities (E/CN.4/2000/79) and of the report of the Working Group on Minorities on its fifth session (E/CN.4/Sub.2/1999/21), in particular the conclusions and recommendations contained therein;
2. Reaffirms the obligation of States to ensure that persons belonging to national or ethnic, religious and linguistic minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;
3. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of the country;
4. Also urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration;
5. Recommends that the human rights treaty bodies, when considering reports submitted by States parties, give particular attention to the implementation of articles relating to the rights of persons belonging to national or ethnic, religious and linguistic minorities;
6. Calls upon special representatives, special rapporteurs and working groups of the Commission to continue to give attention, within their respective mandates, to situations involving minorities;
7. Calls upon the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities and to include in his report to its fifty-seventh session information on relevant projects and activities in this regard;
8. Calls upon the High Commissioner for Human Rights to continue to promote, within her mandate, the implementation of the Declaration and to engage in a dialogue with Governments concerned for that purpose;
9. Invites the High Commissioner for Human Rights to continue her efforts to improve the coordination and cooperation of United Nations programmes and agencies active in

the field of the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, and invites the United Nations programmes and agencies to continue to give attention within their respective mandates to situations of minorities;

10. Takes note of the holding of expert seminars, in accordance with the recommendations of the Working Group on Minorities, on the effective participation of minorities from 30 April to 2 May 1999 in Flensburg, Germany, and on intercultural and multicultural education from 29 September to 2 October 1999 in Montreal, Canada;

11. Takes note of the emphasis by the Working Group on Minorities regarding the participation by minorities and the work on a manual on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

12. Requests the Working Group, within its mandate, to contribute to, and participate in, the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and to intensify its activities in this regard;

13. Requests the Secretary-General to provide the Working Group, from within existing resources, with all the necessary services and facilities to fulfil its mandate;

14. Calls upon States, intergovernmental organizations, United Nations bodies and non-governmental organizations to participate actively in the work of the Working Group, including through written contributions;

15. Also calls upon States to facilitate the effective participation of representatives of non-governmental organizations and persons belonging to minorities in the work of the Working Group on Minorities, and invites the High Commissioner for Human Rights to seek voluntary contributions in this regard;

16. Invites the Office of the High Commissioner for Human Rights to consider favourably the recommendation of the Working Group to organize a seminar for representatives of international and regional organizations, treaty bodies and specialized agencies, to discuss issues concerning their respective work on the protection of minorities, improve coordination so as to reduce duplication and parallel activities, exchange information and seek ways of better protecting the rights of persons belonging to minorities;

17. Requests the Secretary-General to report to the Commission at its fifty-seventh session on the implementation of the present resolution;

18. Decides to continue its consideration of this question at its fifty-seventh session under the same agenda item.

63rd meeting  
25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/53. Internally displaced persons

The Commission on Human Rights,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious challenge this is creating for the international community,

Conscious of the human rights and humanitarian dimensions of the problem of internally displaced persons and the responsibilities this poses for States and the international community to explore methods and means better to address their protection and assistance needs,

Recalling the relevant norms of international human rights instruments, international humanitarian law and refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific rights for their protection, in particular through the Guiding Principles on Internal Displacement,

Recalling also its previous relevant resolutions, in particular resolution 1999/47 of 27 April 1999, and General Assembly resolution 54/167 of 17 December 1999, as well as the Vienna Declaration and Programme of Action, regarding the need to develop global strategies to address the problem of internal displacement,

Recalling further that the Economic and Social Council in its agreed conclusions 1998/2 of 28 July 1998 on the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action commended the efforts of the Representative of the Secretary-General to promote a comprehensive strategy that focuses on prevention, as well as better protection, assistance and development for internally displaced persons,

Recalling in particular Economic and Social Council agreed conclusions 1998/1 of 17 July 1998 on special economic, humanitarian and disaster relief assistance, in which the Council noted with satisfaction the designation of the Emergency Relief Coordinator as the focal

point for inter-agency coordination of humanitarian assistance to internally displaced persons and also noted the adoption by the Inter-Agency Standing Committee of the Guiding Principles on Internal Displacement,

Recalling also Economic and Social Council agreed conclusions 1999/1 of 23 July 1999 on special economic, humanitarian and disaster relief assistance, in which the Council called on all States to apply international norms with regard to internally displaced persons, called for further strengthening and coordinating of international efforts for those persons and welcomed the efforts of the Representative of the Secretary-General for internally displaced persons, the Emergency Relief Coordinator and the members of the Inter-Agency Standing Committee in this regard,

Noting the growing interest of the international community in the issue of internally displaced persons and the decision of the Economic and Social Council to address this issue in the context of the humanitarian segment at its substantive session in 2000,

Noting also the recommendations concerning internally displaced persons contained in the report of the Secretary-General on the protection of civilians in armed conflict (S/1999/957),

Recalling the statement by the President of the the Security Council of 13 January 2000 (S/PRST/2000/1) which emphasized that national authorities have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction,

Deploring practices of forced displacement, in particular “ethnic cleansing” and forced relocations, and the negative impact they constitute for the enjoyment of fundamental human rights by large groups of populations,

Noting the work of the Representative of the Secretary-General on internally displaced persons in developing a legal framework, in particular the compilation and analysis of legal norms and the development of guiding principles; analysing institutional arrangements; undertaking dialogue with Governments; and issuing a series of reports on particular country situations together with proposals for remedial measures,

Welcoming the cooperation established between the Representative of the Secretary-General and the United Nations as well as other international and regional organizations, in particular the participation of the Representative in the work of the Inter-Agency Standing Committee and its subsidiary bodies, and encouraging further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons,

1. Takes note with appreciation of the report of the Representative of the Secretary-General on internally displaced persons (E/CN.4/2000/83 and Add.1-3);
2. Expresses its appreciation to the Representative of the Secretary-General for the activities undertaken so far, despite the limited resources available to him, and for the catalytic role he continues to play to raise the level of consciousness about the plight of internally displaced persons;
3. Also expresses its appreciation to those Governments and intergovernmental and non-governmental organizations which have provided assistance and protection to internally displaced persons and have supported the work of the Representative of the Secretary-General;
4. Commends the Representative of the Secretary-General for his efforts to promote a comprehensive strategy that focuses on prevention, as well as better protection, assistance and development for internally displaced persons;
5. Encourages the Representative of the Secretary-General through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned to continue his analysis of the causes of internal displacement, the needs of those displaced, measures of prevention and ways to strengthen protection, assistance and solutions for the internally displaced, taking into account specific situations;
6. Welcomes the fact that the Representative of the Secretary-General has made use of the Guiding Principles on Internal Displacement in his dialogue with Governments and intergovernmental and non-governmental organizations, and requests him to continue his efforts in that regard;
7. Notes with appreciation that United Nations agencies, regional and non-governmental organizations are making use of the Guiding Principles in their work, encourages the further dissemination and application of the Guiding Principles, expresses its appreciation for the dissemination and promotion of the Guiding Principles at regional and other seminars on displacement and encourages the Representative to continue to initiate or support such seminars in consultation with regional organizations, intergovernmental and non-governmental organizations and other relevant institutions;
8. Welcomes the specific attention paid by the Representative of the Secretary-General to the special assistance, protection and development needs of internally displaced women and children and his commitment to pay more systematic and in-depth attention to the specific needs of women and children and to the strategies for addressing such

concerns, and welcomes in this regard the Expert Meeting on Gender Dimensions of Internal Displacement hosted by the United Nations Children's Fund in June 1999 and the paper on the same subject presented to the Inter-Agency Standing Committee;

9. Thanks Governments which have invited the Representative of the Secretary-General to visit their countries and encourages them to follow up on his recommendations and suggestions and to make available information on measures taken thereon;

10. Calls upon all Governments to facilitate the activities of the Representative of the Secretary-General, in particular those Governments with situations of internal displacement which have not yet extended invitations or responded positively to requests for information from the Representative;

11. Also calls upon Governments to provide, and to facilitate the efforts of relevant United Nations agencies and humanitarian organizations to provide protection and assistance to internally displaced persons, including by further improving access to internally displaced persons;

12. Stresses the importance of appropriate follow-up to the recommendations of the Representative by Governments as well as by the relevant parts of the United Nations system in the Inter-Agency Standing Committee, including at the country level;

13. Stresses the need to further strengthen inter-agency arrangements with regard to internally displaced persons that are predictable, characterized by accountability within the United Nations system, universal in their application and equipped to meet the immense humanitarian challenge, and calls upon States to provide adequate resources for programmes to assist and protect internally displaced persons;

14. Welcomes the development of frameworks of cooperation to address the needs of internally displaced persons, in particular the designation of the Emergency Relief Coordinator as the focal point for inter-agency coordination of humanitarian assistance to internally displaced persons, the appointment of an adviser on internally displaced persons within the Office for the Coordination of Humanitarian Affairs and the designation of focal points on internally displaced persons within some of the other international organizations, and encourages the Representative of the Secretary-General, the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees, the Emergency Relief Coordinator and the Office for the Coordination of Humanitarian Affairs, the United Nations Development Programme, the United Nations Children's Fund, the World Food Programme, the World Health

Organization, the International Organization for Migration, the International Committee of the Red Cross and all other relevant humanitarian assistance and development organizations, including non-governmental organizations, further to enhance their collaboration;

15. Also welcomes the ongoing review of the Inter-Agency Standing Committee and its members of their policies and programmes concerning internally displaced persons, including through the adoption of a policy paper on the protection of internally displaced persons, the “Handbook for Applying the Guiding Principles on Internal Displacement”, the “Manual on Field Practice in Internal Displacement” and the “Supplementary Guidance to Humanitarian/Resident Coordinators on their Responsibilities in Relation to Internally Displaced Persons”, underlines the need for these organizations to strengthen their capacities and policies in addressing internal displacement and urges stronger collaborative arrangements both at headquarters and in the field in order to close remaining gaps relating to protection, assistance and solutions for internally displaced persons;

16. Notes with appreciation the increased attention paid to internally displaced persons in the consolidated inter-agency appeals process and encourages further efforts to improve the integration of internal displacement in consolidated appeals;

17. Welcomes the establishment of the global internally displaced persons database, as advocated by the Representative of the Secretary-General, and encourages the members of the Inter-Agency Standing Committee and Governments to continue to collaborate on and support this effort, including by providing financial resources;

18. Also welcomes the initiatives undertaken by regional organizations, such as the Organization of African Unity, the Organization of American States and the Organization for Security and Co-operation in Europe, to address the assistance, protection and development needs of internally displaced persons and encourages them and other regional organizations to strengthen their activities and their cooperation with the Representative of the Secretary-General;

19. Further welcomes the attention paid by relevant special rapporteurs, working groups, experts and treaty bodies to issues of internal displacement, and calls upon them to continue to seek information on situations which have already created or could create internal displacement and to include relevant information and recommendations thereon in their reports and make them available to the Representative of the Secretary-General;

20. Calls upon the United Nations High Commissioner for Human Rights to develop projects, in cooperation with Governments, relevant international organizations and the

Representative of the Secretary-General, to promote the human rights of internally displaced persons, as part of the programme of advisory services and technical cooperation, and to include in her report to the Commission information on their implementation;

21. Requests the Secretary-General to disseminate resolution 1998/26 of 26 August 1998 of the Sub-Commission on the Promotion and Protection of Human Rights on housing and property restitution in the context of the return of refugees and internally displaced persons;

22. Requests the Secretary-General to provide his Representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the Representative of the Secretary-General to continue to seek the contribution of States, relevant organizations and institutions in order to put the work of the Representative on a more stable basis;

23 Requests the Representative of the Secretary-General to continue to report on his activities, to the General Assembly and to the Commission on Human Rights;

24. Decides to continue its consideration of the question of internal displacement at its fifty-seventh session.

63rd meeting

25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/54. Violence against women migrant workers

The Commission on Human Rights,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women, the Commission on Crime Prevention and Criminal Justice and the Commission on Human Rights, as well as the Declaration on the Elimination of Violence against Women,

Affirming the outcomes of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, specifically as they pertain to women migrant workers,

Emphasizing the need for accurate, objective, comprehensive and comparable information, as well as for a wide and systematic exchange of experiences and lessons learned by



individual countries in protecting and promoting the rights and welfare of women migrant workers for policy formulation and joint action,

Noting the large numbers of women from developing countries and from some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of, inter alia, poverty, unemployment and other socio-economic conditions, and acknowledging the duty of sending States to work for conditions that provide employment and security to their citizens,

Deeply concerned over the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

Encouraged by some measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Recognizing the importance of continued cooperation at the bilateral, regional and international levels in protecting and promoting the rights and welfare of women migrant workers,

1. Takes note of the report of the Secretary-General on violence against women migrant workers (E/CN.4/2000/76);
2. Welcomes the report of the Special Rapporteur on the human rights of migrants (E/CN.4/2000/82), particularly the observations made on violence against women migrant workers, and encourages her to continue addressing the issue of violence against women migrant workers, in particular the problem of gender-based violence and of discrimination;
3. Takes note with appreciation of the workshop-seminar on “Migrant women, boys and girls” held in San Salvador on 25 and 26 February 2000 as part of the Plan of Action of the Regional Conference on Migration;
4. Calls upon concerned Governments, particularly those of countries of origin and destination, if they have not done so, to put in place penal sanctions to punish perpetrators of violence against women migrant workers and, to the extent possible, to provide the victims of violence with the full range of immediate assistance, such as counselling, legal and consular assistance, temporary shelters and other measures that will allow them to be present during the judicial process, to safeguard their dignified return to the country of origin as well as to establish reintegration and rehabilitation schemes for returning women migrant workers;

5. Invites the States concerned, specifically countries of origin and destination, to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers in violation of their human dignity;

6. Encourages States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Slavery Convention of 1926;

7. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-eighth session a comprehensive follow-up report on the problem of violence against women migrant workers, taking into account the views of States and based on all available information from authorities and bodies within the United Nations system, intergovernmental organizations and other sources, including non-governmental organizations;

8. Decides to continue its consideration of this question at its fifty-eighth session under the appropriate agenda item.

63rd meeting

25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/55. Human rights and mass exoduses

The Commission on Human Rights,

Deeply disturbed by the scale and magnitude of exoduses and displacements of people in many regions of the world and by the human suffering of refugees and displaced persons, a high proportion of whom are women and children,

Recalling its previous relevant resolutions, in particular resolution 1998/49 of 17 April 1998,<sup>1</sup> as well as those of the General Assembly, and the conclusions of the World Conference on Human Rights,<sup>2</sup> which recognized that violations of human rights, persecution, political and ethnic conflicts, famine and economic insecurity, poverty and generalized violence are among the root causes leading to the mass exodus and displacement of people,

---

<sup>1</sup> See Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23), chap. II, sect. A.

<sup>2</sup> A/CONF.157/24 (part I), chap. III.

Taking note of the report of the Secretary-General on the protection of civilians in armed conflict (A/54/619 and S/1999/957) and the recommendations made therein, as well as Security Council resolutions 1265 (1999) of 17 September 1999 on the protection of civilians in armed conflict and 1261 (1999) of 25 August 1999 on children in armed conflict, and relevant statements by the President of the Security Council,

Recalling also all relevant human rights standards, including the Universal Declaration of Human Rights, the principles of international protection for refugees and the General Conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on international protection,<sup>3</sup> and that asylum applicants should have access to fair and expeditious status-determination procedures,

Stressing the importance of adherence to international humanitarian, human rights and refugee law in order to avert mass exoduses and displacements and to protect refugees and internally displaced persons, and expressing its deep concern at the lack of respect for those laws and principles, especially during armed conflict, inter alia the denial of full, safe and unimpeded access to displaced persons,

Reaffirming the primary responsibility of States to ensure the protection of refugees and internally displaced persons within their own territories, including by upholding the security and civilian and humanitarian nature of camps and settlements for refugees and internally displaced persons,

Welcoming the entry into force on 15 January 1999 of the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,<sup>4</sup> encouraging States to become parties to the Convention, and strongly condemning attacks and the use of force against United Nations and associated personnel, as well as personnel of humanitarian organizations, including locally engaged staff,

---

<sup>3</sup> Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 12A (A/54/12/Add.1), chap. III, sect. A.1.

<sup>4</sup> General Assembly resolution 49/59, annex.

Recognizing the contribution of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes, including deportation or forcible transfer of population, as defined in the Rome Statute of the International Criminal Court,<sup>5</sup> which lead to, or result from, mass exoduses and displacements,

Recognizing also that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations which cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Recognizing further the complementarity between the systems for the protection of human rights and for humanitarian action, in particular the mandates of the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees, as well as the work of the Representative of the Secretary-General on internally displaced persons and the Special Representative of the Secretary-General for Children and Armed Conflict, and that cooperation between them, in accordance with their respective mandates, as well as coordination between the human rights, political and security components of United Nations operations, make important contributions to the promotion and protection of human rights of persons forced into mass exodus and displacement,

Welcoming the continuing efforts of the United Nations High Commissioner for Refugees in meeting the protection and assistance needs of refugees worldwide and in working to make it possible for refugees to exercise their fundamental right to return to and to stay in their own countries in safety and dignity,

1. Calls upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, gender, age, religion or language and thus to make a substantial contribution to addressing human rights situations that lead to mass exoduses and displacements;

2. Takes note with interest of the report of the High Commissioner for Human Rights on human rights and mass exoduses;

---

<sup>5</sup> A/CONF.183/9.

3. Reaffirms the need for all Governments, intergovernmental bodies and concerned international organizations to intensify their cooperation and assistance in worldwide efforts to address human rights situations that lead to, as well as the serious problems that result from, mass exoduses of refugees and displaced persons;

4. Emphasizes the responsibility of all States and international organizations to cooperate with those countries, particularly developing countries, affected by mass exoduses of refugees and displaced persons, and calls upon Governments, the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees, other relevant parts of the United Nations system and other humanitarian organizations to continue to respond to assistance needs of countries hosting large numbers of refugees and displaced persons until durable solutions are found;

5. Encourages States that have not already done so to consider acceding to the 1951 Convention<sup>6</sup> and the 1967 Protocol<sup>7</sup> relating to the Status of Refugees and to relevant regional instruments concerning refugees, as applicable, and other relevant international instruments of human rights and humanitarian law, and to take appropriate measures to disseminate and implement those instruments domestically in order to encourage compliance with provisions against arbitrary and forcible displacement and greater respect for the rights of those who flee;

6. Calls upon States to ensure effective protection of refugees by, inter alia, respecting the principle of non-refoulement;

7. Also calls upon States to ensure effective protection of, and assistance to, refugees and internally displaced persons, consistent with international law, including by ensuring full, safe and unhindered access by humanitarian workers to displaced populations and ensuring the security and civilian and humanitarian nature of camps and settlements for refugees and internally displaced persons;

8. Recognizes that women and children constitute the majority of most refugee and displaced populations and that, in addition to the problems they share with all refugees and displaced persons, women and girls in such circumstances are vulnerable to persecution, gender-based discrimination and gender-specific violations of human rights, and calls upon

---

<sup>6</sup> United Nations, Treaty Series, vol. 189, No. 2545.

<sup>7</sup> *Ibid.*, vol. 606, No. 8791.

States to protect and promote and respect the human rights of all refugees and displaced persons, in particular refugee and displaced women and children, to ensure that their particular needs are met and to ensure that women are full and equal participants in the planning, design, implementation, monitoring and evaluation of all projects and programmes;

9. Calls upon all States to promote conditions conducive to the voluntary return of refugees in safety and with dignity;

10. Welcomes in particular the efforts of the High Commissioner for Human Rights to contribute to the creation of an environment for a viable and sustainable return of refugees and displaced persons in post-conflict societies through initiatives such as the rehabilitation of the justice system, the creation of independent national institutions capable of defending human rights and broad-based programmes of human rights education and the strengthening of local non-governmental organizations through field presences and programmes of advisory services and technical cooperation;

11. Encourages the High Commissioner for Human Rights, the High Commissioner for Refugees, other relevant components of the United Nations system, other humanitarian organizations and regional organizations to continue to cooperate within their respective mandates and in accordance with international law in the creation of an environment for a viable and sustainable return of refugees and displaced persons in post-conflict societies;

12. Requests the High Commissioner for Human Rights, in the exercise of her mandate and in cooperation with the High Commissioner for Refugees and the Representative of the Secretary-General on internally displaced persons, to pay particular attention to human rights situations which cause or threaten to cause mass exoduses or displacements and to contribute to efforts to address such situations effectively through promotion and protection measures, emergency preparedness and response mechanisms, early warning and information-sharing, technical advice and expertise and cooperation in countries of origin as well as host countries;

13. Encourages all United Nations bodies, including the human rights treaty bodies, acting within their mandates, and the specialized agencies, as well as governmental, intergovernmental and non-governmental organizations, and the special rapporteurs, special representatives and working groups of the Commission to pay particular attention to, and to provide the High Commissioner for Human Rights with all relevant information in their

possession on, human rights situations that create or affect refugees and displaced persons for appropriate action in fulfilment of her mandate in consultation with the High Commissioner for Refugees and the Representative of the Secretary-General on internally displaced persons;

14. Welcomes with appreciation the ongoing contributions of the High Commissioner for Human Rights, the High Commissioner for Refugees and the Representative of the Secretary-General on internally displaced persons to the deliberations of the Commission on Human Rights and to other international human rights bodies and mechanisms, invites them to exchange relevant information on mass exoduses and displacements with all United Nations bodies, including the human rights treaty bodies, acting within their mandates, and invites the High Commissioner for Refugees to address the Commission at each of its future sessions;

15. Requests the High Commissioner for Human Rights to prepare and submit to the Commission at its fifty-ninth session, within existing resources, a report on measures taken to implement the present resolution and obstacles to its implementation, including information on measures taken by the Office of the High Commissioner for Human Rights and other relevant United Nations bodies, taking into account information and comments provided by Governments, intergovernmental organizations, specialized agencies and non-governmental organizations;

16. Decides to continue its consideration of this question at its fifty-ninth session under the sub-item “Mass exoduses and displaced persons” of the agenda item entitled “Specific groups and individuals”.

63rd meeting  
25 April 2000

[Adopted without a vote. See chap. XIV.]

2000/56. Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World’s Indigenous People

The Commission on Human Rights,

Recalling its previous resolutions on the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World’s Indigenous People, in particular resolution 1997/32 of 11 April 1997,

Recalling also Economic and Social Council resolution 1982/34 of 7 May 1982, in which the Council authorized the Sub-Commission to establish annually a working group on indigenous populations with the mandate to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous people, giving special attention to the evolution of standards concerning the rights of indigenous people,

Affirming its recognition of the value and diversity of the cultures and forms of social organization of indigenous people and that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world,

Recalling that the goal of the International Decade of the World's Indigenous People is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade, the need for adequate financial support from the international community, including support from within the United Nations and the specialized agencies, and the need for adequate coordination and communication channels,

Mindful of the decision by the General Assembly in its resolution 49/214 of 23 December 1994 to observe the International Day of the World's Indigenous People on 9 August every year,

I.

Report of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights

1. Takes note of the report of the Sub-Commission on the Promotion and Protection of Human Rights (E/CN.4/2000/2-E/CN.4/Sub.2/1999/54) and of the report of the Working Group on its seventeenth session (E/CN.4/Sub.2/1999/19);

2. Urges the Working Group to continue its comprehensive review of developments and of the diverse situations and aspirations of the world's indigenous people, and welcomes its proposal to highlight specific themes of the International Decade of the World's Indigenous People at its future sessions, noting that at its eighteenth session the Working Group will focus on the theme of "Indigenous children and youth";



3. Again invites the Working Group to take into account in its deliberations on developments pertaining to the promotion and protection of the human rights of indigenous people the work, within the framework of their respective mandates, of all thematic special rapporteurs, special representatives, independent experts, working groups and expert seminars as it pertains to the situation of indigenous people;

4. Recommends that the Economic and Social Council authorize the Working Group to meet for five working days prior to the fifty-second session of the Sub-Commission;

5. Invites the Working Group to continue its consideration of ways in which the expertise of indigenous people can contribute to the work of the Working Group, and encourages initiatives by Governments, organizations of indigenous people and non-governmental organizations to ensure the full participation of indigenous people in the activities related to the tasks of the Working Group;

6. Requests the Secretary-General:

(a) To provide adequate resources and assistance to the Working Group in the discharge of its tasks, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies, non-governmental organizations and organizations of indigenous people, in order to encourage the widest possible participation in its work;

(b) To transmit the reports of the Working Group to Governments, organizations of indigenous people and intergovernmental and non-governmental organizations, as soon as possible, for specific comments and suggestions;

7. Appeals to all Governments, organizations and individuals in a position to do so to consider contributing to the United Nations Voluntary Fund for Indigenous Populations;

## II.

### International Decade of the World's Indigenous People

8. Takes note of the report of the High Commissioner for Human Rights on the implementation of the programme of activities for the International Decade of the World's Indigenous People (E/CN.4/2000/85);

9. Invites the Working Group on Indigenous Populations to continue its review of activities undertaken during the Decade, and encourages Governments and intergovernmental

and non-governmental organizations to provide information on the implementation of the goals of the Decade, in accordance with paragraph 16 of the annex to General Assembly resolution 50/157 of 21 December 1995;

10. Welcomes the affirmation by the General Assembly that a major objective of the Decade is the adoption of a declaration on the rights of indigenous people and its recognition that among the important objectives of the Decade is the consideration of the establishment of a permanent forum for indigenous people in the United Nations system;

11. Requests the High Commissioner for Human Rights, in her capacity as Coordinator of the Decade, to submit an updated annual report reviewing activities within the United Nations system under the programme of activities for the Decade to the Commission on Human Rights at its fifty-seventh session under the agenda item entitled "Indigenous issues", in accordance with the request by the General Assembly to the Secretary-General;

12. Takes note of the mid-term report of the High Commissioner for Human Rights, in her capacity as Coordinator of the International Decade of the World's Indigenous People (A/54/487), reviewing the implementation of the programme of activities of the Decade, and of the information contained therein about the activities of the United Nations system, including the specialized agencies, and other intergovernmental activities relating to indigenous people and urges all parties concerned to intensify their efforts to achieve the goals of the Decade;

13. Emphasizes the important role of international cooperation in promoting the goals and activities of the Decade and the rights, well-being and sustainable development of indigenous people;

14. Appeals to all Governments, organizations and individuals in a position to do so to support the Decade by contributing to the Voluntary Fund for the International Decade of the World's Indigenous People;

15. Encourages Governments, as appropriate, recognizing the importance of action at the national level for the implementation of the goals and activities of the Decade, to support the Decade, in consultation with indigenous people, by:

(a) Preparing relevant programmes, plans and reports in relation to the Decade and establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(b) Seeking means of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters which affect them;

(c) Identifying resources for activities designed to implement the goals of the Decade;

16. Appeals to intergovernmental and non-governmental organizations to support the Decade by identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people;

17. Encourages Governments to consider contributing, as appropriate, in support of the achievement of the goals of the Decade, to the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean;

18. Requests the High Commissioner for Human Rights to ensure that the indigenous people's unit in her Office is adequately staffed and resourced to enable the activities of the Decade to be effectively implemented;

19. Recommends that the High Commissioner for Human Rights, when developing programmes within the framework of the International Decade of the World's Indigenous People and the United Nations Decade for Human Rights Education, give due regard to the development of human rights training for indigenous people;

20. Encourages the High Commissioner for Human Rights to cooperate with the Department of Public Information of the Secretariat in preparing and disseminating information on the International Decade of the World's Indigenous People, taking due care to portray accurately the information regarding indigenous people;

21. Invites the United Nations financial and development institutions, operational programmes and specialized agencies, in accordance with the existing procedure of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of these people in developing countries, including through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in collaboration with indigenous people, for strengthening their community-level initiatives, and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points or other mechanisms for coordination with the High Commissioner for Human Rights of activities relating to the Decade;

22. Recommends that the situation of indigenous people be taken into account in forthcoming United Nations conferences of relevance, including the special session of the General Assembly entitled “Women 2000: gender equality, development and peace for the twenty-first century”, the special session of the General Assembly entitled “World Summit for Social Development and Beyond: achieving social development for all in a globalizing world”, the special session of the General Assembly for the follow-up to the World Summit for Children, and the Third World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

23. Decides to consider the International Decade of the World’s Indigenous People at its fifty-seventh session under the agenda item entitled “Indigenous issues”.

63rd meeting  
25 April 2000

[Adopted without a vote. See chap. XV.]

2000/57. Working group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

The Commission on Human Rights,

Bearing in mind General Assembly resolution 47/75 of 14 December 1992 and Part II, paragraph 28, of the Vienna Declaration and Programme of Action (A/CONF.157/23),

Reaffirming its resolution 1995/32 of 3 March 1995, in which it established an open-ended inter-sessional working group with the sole purpose of elaborating a draft declaration, considering the draft contained in the annex to resolution 1994/45 of 26 August 1994 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, entitled “Draft United Nations declaration on the rights of indigenous peoples”, for consideration and adoption by the General Assembly within the International Decade of the World’s Indigenous People,

Reaffirming in particular that the invitation contained in that resolution was addressed to organizations of indigenous people seeking authorization to participate in the working group,

Recognizing that organizations of indigenous people have special knowledge and understanding of the current situation of the world's indigenous people and their human rights needs,

Recalling General Assembly resolution 49/214 of 23 December 1994, in which the Assembly encouraged the Commission to consider the draft declaration with the participation of representatives of indigenous people, on the basis of and in accordance with appropriate procedures to be determined by the Commission,

Welcoming the progress made in the process of drafting a declaration on the rights of indigenous people, and emphasizing the importance and special nature of such a draft declaration as an instrument specifically for promoting the rights of indigenous people,

Recalling the need for the Working Group to consider all aspects of the draft declaration, including its scope of application,

1. Takes note of the report of the Working Group (E/CN.4/2000/84) and welcomes the continuation and positive nature of the deliberations of the working group, particularly the measures taken to ensure effective input by organizations of indigenous people;
2. Expresses its appreciation for the work of the Economic and Social Council in considering applications from organizations of indigenous people to participate in the working group under the procedures set out in the annex to Commission resolution 1995/32;
3. Welcomes the decisions of the Council approving the participation of organizations of indigenous people in the work of the Working Group, and urges the Council to process all pending applications as soon as possible, taking strictly into account the procedures set out in the annex to Commission resolution 1995/32;
4. Recommends that the Working Group meet for 10 working days prior to the fifty-seventh session of the Commission, the cost of the meeting to be met from within existing resources;
5. Invites the Chairman-Rapporteur of the working group and all interested parties to conduct broad informal inter-sessional consultations with a view to facilitating progress in drafting a declaration on the rights of indigenous people at the next session of the working group;
6. Encourages organizations of indigenous people which are not already registered to participate in the working group and which wish to do so to apply for authorization in accordance with the procedures set out in the annex to Commission resolution 1995/32;

7. Requests the working group to submit a progress report for consideration by the Commission at its fifty-seventh session under the agenda item entitled “Indigenous issues”;
8. Recommends the following draft decision to the Economic and Social Council for adoption:

“The Economic and Social Council, taking note of Commission on Human Rights resolution 2000/... of .. April 2000, authorizes the open-ended inter-sessional working group of the Commission on Human Rights established in accordance with Commission resolution 1995/32 of 3 March 1995 to meet for a period of 10 working days prior to the fifty-seventh session of the Commission, the costs of the meeting to be met from within existing resources.”

63rd meeting

25 April 2000

[Adopted without a vote. See chap. XV.]

2000/58. Situation in the Republic of Chechnya of the Russian Federation

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, as well as the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Geneva Conventions of 12 August 1949, in particular common article 3 thereof, and Additional Protocol II thereto, of 10 June 1977, as well as other instruments of international humanitarian law,

Recalling the provisions of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights in June 1993, in particular part I, paragraph 4, thereof,

Recalling that the Russian Federation is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and other regional human rights instruments, such as the European Convention on Human Rights,

Recalling also that the Russian Federation is a party to the Geneva Conventions of 12 August 1949 and Additional Protocol II thereto, of 10 June 1977,

Recalling further the earlier statements on the subject by the Chairperson of the Commission on Human Rights of 27 February 1995 and 24 April 1996,

Gravely concerned by the continued violence in the Republic of Chechnya of the Russian Federation, in particular reports indicating disproportionate and indiscriminate use of Russian military force, including attacks against civilians, which has led to a serious humanitarian situation,

Gravely concerned also at reports of attacks against civilians and serious crimes and abuses committed by Chechen fighters,

Deeply concerned at reports that gross, widespread and flagrant violations of human rights have been committed in the region, notably in the alleged “camps of filtration”,

Underlining the need to respect the principle of proportionality and to observe international human rights and humanitarian law in situations of conflict and in activities undertaken against terrorism,

Deploring the high number of victims and displaced persons and the suffering inflicted on the civilian population by all parties, including the serious and systematic destruction of installations and infrastructure, contrary to international humanitarian law,

Expressing concern about the spill-over effect of the conflict to neighbouring republics of the Russian Federation,

Noting the appointment by the Government of the Russian Federation of a presidential representative for human rights in Chechnya and the establishment of his office in the Republic, which should increase transparency and action on alleged human rights violations,

Welcoming the cooperation on the part of the Russian Federation with the Council of Europe, including the visits of the Council’s Commissioner for Human Rights and the signature of a memorandum of understanding between the Russian authorities and the Council and the acceptance of three representatives of that organization in the office of the presidential representative, and noting the report by the European Committee for the Prevention of Torture on the Northern Caucasus,

Welcoming the fact that the Russian authorities have reached a preliminary agreement with the International Committee of the Red Cross on free access to Russian detention camps,

Noting the visit to the Russian Federation by the United Nations High Commissioner for Human Rights,

1. Welcomes the report of the High Commissioner for Human Rights;
2. Calls upon all parties to the conflict to take immediate steps to halt the hostilities and the indiscriminate use of force and to begin without delay the holding of a political dialogue and effective negotiations with the aim of achieving a peaceful solution to the crisis, which fully respects the territorial integrity and the Constitution of the Russian Federation;
3. Supports the requests made by the High Commissioner for Human Rights, the Secretary-General of the Council of Europe and the Chairman-in-Office of the Organization for Security and Co-operation in Europe for international involvement, and urges the Government of the Russian Federation to agree to the requests of those organizations to deploy staff in the region in line with their mandates;
4. Calls upon the Government of the Russian Federation to establish urgently, according to recognized international standards, a national, broad-based and independent commission of inquiry to investigate promptly alleged violations of human rights and breaches of international humanitarian law committed in the Republic of Chechnya in order to establish the truth and identify those responsible, with a view to bringing them to justice and preventing impunity;
5. Requests the Russian Federation to disseminate, and ensure that the military at all levels has a knowledge of, basic principles of human rights and international humanitarian law;
6. Requests the relevant special rapporteurs and working groups of the Commission, i.e. the Special Rapporteur on torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on violence against women, the Special Representative of the Secretary-General on internally displaced persons and the Special Representative of the Secretary-General for children and armed conflict, to undertake missions to the Republic of Chechnya and neighbouring republics without delay, and asks them to submit reports to the Commission and to the General Assembly as soon as possible;
7. Requests the High Commissioner for Human Rights to facilitate their tasks;
8. Urges the Government of the Russian Federation to cooperate with the special mechanisms of the Commission and, in particular, to give favourable consideration to the requests already presented to undertake visits in the region as a matter of priority;



9. Also urges the Government of the Russian Federation to allow international humanitarian organizations, notably the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, free and secure access to areas of internally displaced and war affected populations in the Republic of Chechnya and neighbouring republics, in accordance with international humanitarian law, and to facilitate their activities and the delivery of humanitarian aid to the victims in the region;

10. Calls upon the Government of the Russian Federation to give free and effective access in the Republic of Chechnya by international and regional organizations, in particular the International Committee of the Red Cross, to all places of detention, notably in the alleged “camps of filtration”, in order to ensure treatment of all detainees in conformity with international law;

11. Requests the High Commissioner for Human Rights to consult with the Government of the Russian Federation in order to ensure the implementation of the present resolution and to promote confidence-building measures based on respect for human rights and humanitarian law;

12. Welcomes the invitation extended by the Government of the Russian Federation to the High Commissioner for Human Rights for a return visit in two or three months;

13. Requests the High Commissioner for Human Rights to report on the implementation of the present resolution to the Commission at its fifty-seventh session and to keep the Commission and the General Assembly informed on further developments as appropriate.

64th meeting  
25 April 2000

[Adopted by a roll-call vote of 25 votes to 7,  
with 19 abstentions. See chap. IX.]

## B. Decisions

### 2000/102. Globalization and its impact on the full enjoyment of all human rights

At its 52nd meeting, on 17 April 2000, the Commission on Human Rights, recalling its resolution 1999/59 of 28 April 1999 and taking note of resolution 1999/8 of 25 August 1999 of the Sub-Commission on the Promotion and Protection of Human Rights, decided, without a vote, to endorse the appointment of Mr. J. Oloka-Onyango and Ms. Deepika Udagama as Special

Rapporteurs to undertake a study on the issue of globalization and its impact on the full enjoyment of all human rights, paying specific attention to the recommendations made by the Sub-Commission and the Commission so as to refine the focus and methods of the study, and to recommend the following draft decision to the Economic and Social Council for adoption:

“The Economic and Social Council, taking note of Commission on Human Rights decision 2000/102 of 17 April 2000, decides to approve the appointment of Mr. J. Oloka-Onyango and Ms. Deepika Udagama as Special Rapporteurs to undertake a study on the issue of globalization and its impact on the full enjoyment of all human rights, paying specific attention to the recommendations made by the Sub-Commission and the Commission so as to refine the focus and methods of the study.”

[See chap. X.]

#### 2000/103. Question of human rights in Cyprus

At its 56th meeting, on 18 April 2000, the Commission on Human Rights decided, without a vote, to retain on its agenda sub-item (a), entitled “Question of human rights in Cyprus”, of the item entitled “Question of the violation of human rights and fundamental freedoms in any part of the world” and to give it due priority at its fifty-seventh session, it being understood that action required by previous resolutions of the Commission on the subject would continue to remain operative, including the request to the Secretary-General to submit a report to the Commission regarding their implementation.

[See chap. IX.]

#### 2000/104. The rights of non-citizens

At its 62nd meeting, on 25 April 2000, the Commission on Human Rights, taking note of resolution 1999/7 of 25 August 1999 of the Sub-Commission on the Promotion and Protection of Human Rights, decided, without a vote, to recommend the following draft decision to the Economic and Social Council for adoption:

“The Economic and Social Council decides to authorize the Sub-Commission on the Promotion and Protection of Human Rights to appoint one of its members as Special Rapporteur with the task of preparing a comprehensive study of the rights of non-citizens, based on the working paper prepared by Mr. David Weissbrodt as well as

the comments made and the discussions that took place at the fifty-first session of the Sub-Commission and may be made or may take place at the fifty-sixth session of the Commission, and of submitting a preliminary report to the Sub-Commission at its fifty-third session, a progress report at its fifty-fourth session and a final report at its fifty-fifth session. The Council requests the Secretary-General to provide, from within existing resources, the Special Rapporteur with all the assistance necessary to enable him/her to accomplish this task.”

[See chap. XIV.]

2000/105. Postponement of consideration of draft resolution E/CN.4/2000/L.63

At its 63rd meeting, on 25 April 2000, the Commission on Human Rights decided, without a vote, to postpone consideration of draft resolution E/CN.4/2000/L.63, entitled “Human rights and indigenous affairs”, to the next session of the Commission.

[See chap. XV.]

2000/106. Study on indigenous land rights

At its 63rd meeting, on 25 April 2000, the Commission on Human Rights, taking note of resolution 1999/21 of 26 August 1999 of the Sub-Commission on the Promotion and Protection of Human Rights and decisions 1997/114 of 11 April 1997 and 1999/106 of 27 April 1999 of the Commission on Human Rights and of the submission by the Special Rapporteur of a second progress report rather than a final report to the Sub-Commission as requested therein, decided, without a vote, to approve the Sub-Commission’s request to the Secretary-General to transmit as soon as possible the second progress report on the working paper on indigenous people and their relationship to land (E/CN.4/Sub.2/1999/18) to Governments, indigenous people and intergovernmental and non-governmental organizations for their comments, data and suggestions, and to request the Secretary-General to provide, from within existing resources, the Special Rapporteur with all the assistance necessary to enable her to submit her final working paper to the Working Group on Indigenous Populations at its eighteenth session and to the Sub-Commission at its fifty-second session.

[See chap. XV.]

-----