

6. Further requests the Secretary-General to keep the Commission informed of the operations of the Fund on an annual basis.

48th meeting
2 March 1990

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

1990/30. Question of enforced or involuntary disappearances

The Commission on Human Rights,

Bearing in mind General Assembly resolution 33/173 of 20 December 1978, in which the Assembly requested the Commission on Human Rights to consider the question of disappeared persons with a view to making appropriate recommendations, and all other United Nations resolutions concerning missing or disappeared persons,

Convinced of the need to continue the implementation of the provisions of General Assembly resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances,

Recalling its resolution 20 (XXXVI) of 29 February 1980, by which it decided to establish a working group consisting of five of its members, to serve as experts in their individual capacity, to examine questions relevant to enforced or involuntary disappearances, and its resolutions 1986/55 of 13 March 1986, 1987/27 of 10 March 1987, 1988/34 of 8 March 1988 and 1989/27 of 6 March 1989,

Recalling also its decision 1986/106 of 13 March 1986, by which it invited the Sub-Commission on Prevention of Discrimination and Protection of Minorities to reconsider the question of a declaration against unacknowledged detention of persons,

Recalling further General Assembly resolutions 42/142 of 7 December 1987 and 43/159 of 8 December 1988, in which the Assembly welcomed the decision of the Commission on Human Rights to extend for two years, on an experimental basis, the term of the mandate of the Working Group on Enforced or Involuntary Disappearances, while maintaining the principle of annual reporting by the Working Group,

Concerned by the growing number of reports concerning harassment of witnesses of disappearances or relatives of disappeared persons,

Profoundly concerned at the fact that the practice of enforced or involuntary disappearances continues in various regions of the world,

Having considered the report of the Working Group (E/CN.4/1990/13),

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for the way in which it has done its work, and thanks the Working Group for submitting to the Commission at its forty-sixth session a report in accordance with its resolution 1989/27;

2. Takes note of the report of the Working Group and thanks it for continuing to improve its methods of work and for recalling the humanitarian spirit underlying its mandate;

3. Decides to extend for two years the term of the mandate of the Working Group as defined in Commission resolution 20 (XXXVI) so as to enable the Working Group to take into consideration all the information that may be transmitted to it concerning the cases brought to its attention, while maintaining the principle of annual reporting by the Group;

4. Requests the Working Group to report on its work to the Commission at its forty-seventh session and reminds the Working Group of the obligation to discharge its mandate in a discreet and conscientious manner;

5. Also requests the Working Group, in its efforts to help eliminate the practice of enforced or involuntary disappearances, to present to the Commission all appropriate information it deems necessary and all concrete suggestions and recommendations regarding the fulfilment of its task;

6. Reminds the Working Group of the need to observe, in its humanitarian task, United Nations standards and practices regarding the receipt of communications, their consideration, their evaluation, the transmittal to Governments of all communications received and the consideration of Government replies;

7. Expresses its appreciation to the Working Group on Detention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for the progress made in 1989 in preparing the first draft of a declaration on the protection of all persons from enforced or involuntary disappearance and invites the Sub-Commission to finalize the draft as soon as possible with a view to submitting it to the Commission;

8. Notes with concern that, as the Working Group on Enforced or Involuntary Disappearances points out in its report, some Governments have never provided substantive replies concerning disappearances alleged to have occurred in their country;

9. Reminds Governments of the need to ensure that their competent authorities conduct prompt and impartial inquiries when there is reason to believe that an enforced or involuntary disappearance has occurred in a territory under their jurisdiction;

10. Urges the Governments concerned, particularly those which have not yet responded to communications transmitted to them by the Working Group, to co-operate with and assist the Working Group so that it may carry out its mandate effectively, and in particular to answer expeditiously requests for information addressed to them by the Working Group;
11. Also urges the Governments concerned to intensify their co-operation with the Working Group in regard to any measure taken in pursuance of recommendations addressed to them by the Group;
12. Once again urges the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment to which they might be subject;
13. Encourages the Governments concerned to give serious consideration to inviting the Working Group to visit their country, so as to enable the Group to fulfil its mandate even more effectively;
14. Urges Governments to take steps to ensure that, when a state of emergency is introduced, the protection of human rights is guaranteed, particularly as regards the prevention of enforced or involuntary disappearances;
15. Expresses its profound thanks to the Governments which have co-operated with the Working Group and responded to its requests for information;
16. Also expresses its profound thanks to the Governments which have invited the Working Group, and asks them to give all necessary attention to its recommendations;
17. Requests the Secretary-General to ensure that the Working Group receives all necessary assistance, in particular the staff and resources it requires to perform its functions, especially in carrying out missions or holding sessions in countries which would be prepared to receive it;
18. Decides to consider the question at its forty-seventh session under the agenda sub-item "Question of enforced or involuntary disappearances".

48th meeting
2 March 1990

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