

achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

*Firmly convinced* that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

*Also convinced* that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

*Recognizing* the importance of the role that can be played by the Centre for Human Rights of the Secretariat in supporting national efforts to strengthen the institutions of the rule of law,

*Recalling* the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law,<sup>160</sup>

*Recalling also* its resolution 48/132 of 20 December 1993, and taking note of Commission on Human Rights resolution 1994/50 of 4 March 1994,<sup>162</sup>

1. *Welcomes* the report of the Secretary-General<sup>161</sup> submitted in conformity with resolution 48/132;

2. *Takes note with interest* of the proposals submitted in the report of the Secretary-General for strengthening the programme of advisory services and technical assistance of the Centre for Human Rights of the Secretariat in order to comply fully with the recommendations of the World Conference on Human Rights concerning assistance to States in strengthening their institutions in the rule of law;

3. *Praises* the efforts made by the Centre to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

4. *Expresses its deep concern* at the scarcity of means at the disposal of the Centre for the fulfilment of its tasks;

5. *Notes* that the programme of advisory services and technical assistance does not have assistance funds sufficient to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends, but which face economic hardship;

6. *Requests* the Secretary-General to explore the possibilities of obtaining from all relevant institutions of the United Nations system, including financial institutions, acting within their mandates, technical and financial assistance to strengthen the realization of human rights and the maintenance of the rule of law;

7. *Also requests* the Secretary-General to submit a report to the General Assembly at its fiftieth session on the results of the contacts he may establish in accordance with paragraph 6 above, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.<sup>160</sup>

94th plenary meeting  
23 December 1994

#### 49/195. Strengthening of the Centre for Human Rights of the Secretariat

*The General Assembly,*

*Recalling* its resolutions 44/135 of 15 December 1989, 45/180 of 21 December 1990, 46/111 and 46/118 of 17 December 1991, 47/127 of 18 December 1992 and 48/129 and 48/141 of 20 December 1993, and bearing in mind all relevant resolutions of the Economic and Social Council and the Commission on Human Rights,

*Considering* that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the United Nations enshrined in the Charter of the United Nations and a priority activity of the Organization,

*Bearing in mind* that the Secretary-General, in his reports on the work of the Organization for 1992 and 1994, stated that the Charter of the United Nations placed the promotion of human rights as a priority objective, along with promoting development and preserving international peace and security,<sup>162</sup> and that the continuous increase in requests is increasing the workload of the Centre for Human Rights of the Secretariat and placing ever greater demands on its resources,<sup>163</sup>

*Taking into account* that in the Vienna Declaration and Programme of Action,<sup>5</sup> the World Conference on Human Rights, held in June 1993, concerned by the growing disparity between the activities of the Centre and the human, financial and other resources available to carry them out, and bearing in mind the resources needed for other important United Nations programmes, requested the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations, and to take urgent steps to seek increased extrabudgetary resources,<sup>164</sup>

*Taking into account also* the establishment of the post of the United Nations High Commissioner for Human Rights, as well as the mandate for the post, including its coordinating role and its overall supervision of the Centre, as well as the request by the General Assembly in resolution 48/141 for appropriate staff and resources to enable the High Commissioner to fulfil his mandate,

*Taking into account further* the fact that the responsibilities of the High Commissioner include, *inter alia*, engaging in a dialogue with all Governments in the implementation of his mandate with a view to the promotion and protection of all human rights, and rationalizing, adapting, strengthening and streamlining the United Nations machinery in the field of human rights with a view to improving its efficiency and effectiveness,

*Noting* that in the Vienna Declaration and Programme of Action, the World Conference on Human Rights stressed the importance of strengthening the Centre,<sup>165</sup>

*Noting also* that the difficult financial situation of the Centre has created considerable obstacles to the implementation of the various procedures and mechanisms and has negatively influenced the servicing by the Secretariat of the human rights bodies concerned,

<sup>162</sup> Official Records of the General Assembly, Forty-seventh Session, Supplement No. 1 (A/47/1), para. 100.

<sup>163</sup> Ibid., Forty-ninth Session, Supplement No. 1 (A/49/1), para. 387.

<sup>164</sup> See A/CONF.157/24 (Part I), chap. III, sect. II, para. 9.

<sup>165</sup> Ibid., para. 13.

<sup>160</sup> A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

<sup>161</sup> A/49/512.

*Noting with appreciation* the measures already taken by the Assistant Secretary-General for Human Rights, Head of the Centre for Human Rights, aimed at improving the administration and management of the Centre,

*Acknowledging* that, while further improvement in the functioning and efficiency of the Centre, together with a strong emphasis on good management practices, is needed in order to enable the Centre to cope with its constantly increasing workload, good management practices need to be complemented by additional resources commensurate with additional mandates,

*Recalling* that in its report to the Special Commission of the Economic and Social Council, the Commission on Human Rights reaffirmed that the paramount consideration in the employment of staff at every level was the need for the highest standards of efficiency, competence and integrity, and that it was convinced that that was compatible with the principle of equitable geographical distribution,<sup>166</sup> and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations,

*Taking note* of the report of the Secretary-General,<sup>167</sup>

*Taking note also* of the report of the United Nations High Commissioner for Human Rights,<sup>140</sup>

1. *Supports* the efforts of the Secretary-General to enhance the role and importance of the Centre for Human Rights of the Secretariat, under the overall supervision of the United Nations High Commissioner for Human Rights;

2. *Requests* the Secretary-General and Member States to ensure that appropriate additional financial, material and personnel resources are provided in 1994-1995 from within the programme budget for the biennium 1994-1995<sup>168</sup> to enable the Centre and the High Commissioner to carry out, in full and on time, the respective mandates assigned to them by the competent bodies dealing with human rights;

3. *Calls upon* the Secretary-General to include in his submission for the proposed programme budget for the biennium 1996-1997, giving due regard to development and other priority activities of the United Nations, human and financial resources for United Nations human rights activities, adequate to respond to the increase in mandated activities in order to enable the Centre and the High Commissioner to carry out their respective mandates efficiently and effectively;

4. *Requests* the Secretary-General to make available additional human and financial resources:

(a) To the United Nations High Commissioner for Human Rights so as to enhance his ability to coordinate effectively human rights promotion and protection activities throughout the United Nations system, including the provision of advisory services and technical assistance;

(b) To the Centre so as to strengthen its ability to discharge all its mandates, as well as its ability to deal with administrative and budgetary matters, including the provision of advisory services;

(c) To the High Commissioner and the Centre so as to enhance their ability to carry out mandated operational activities and to coordinate efficiently with other relevant parts of the United Nations system on logistical and administrative questions;

5. *Emphasizes* that, while steps are being taken to improve the administrative efficiency of the Centre, and while it has noted with appreciation the measures recently taken by the Assistant Secretary-General for Human Rights, Head of the Centre for Human Rights, aimed at improving the management of the Centre, further steps should be undertaken to analyse the present and future utilization of available human and financial resources as well as additional measures to improve further the administrative efficiency and effectiveness of the Centre, if required with appropriate technical assistance;

6. *Requests* the Secretary-General to submit an interim report to the Commission on Human Rights at its fifty-first session and a final report to the General Assembly at its fiftieth session on the strengthening of the Centre and on the measures taken to implement the present resolution.

94th plenary meeting  
23 December 1994

49/196. **Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)**

*The General Assembly,*

*Guided* by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>11</sup> the International Covenants on Human Rights,<sup>17</sup> the International Convention on the Elimination of All Forms of Racial Discrimination,<sup>2</sup> the Convention on the Rights of the Child,<sup>14</sup> the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>169</sup> the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>75</sup> the Convention on the Elimination of All Forms of Discrimination against Women<sup>68</sup> and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949<sup>170</sup> for the protection of victims of war and the Additional Protocols thereto, of 1977,<sup>171</sup> as well as the principles and commitments undertaken by States members of the Organization for Security and Cooperation in Europe,

*Gravely concerned* at the human tragedy in the territories of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and at the continuing massive and systematic violations of human rights occurring in the areas of Bosnia and Herzegovina under Bosnian Serb control and in areas of Croatia under Croatian Serb control.

*Recalling* its resolution 48/153 of 20 December 1993, and taking note of Commission on Human Rights resolution 1994/72 of 9 March 1994<sup>32</sup> and Security Council resolution 900 (1994) of 4 March 1994, in which the Council called upon all parties to achieve freedom of movement for the civilian population and humanitarian goods to, from and within Sarajevo,

*Recalling specifically* Security Council resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993 and 855 (1993) of 9 August 1993, in which the Council demanded, *inter alia*, that all parties and others concerned in the former Yugoslavia immediately cease and desist from all breaches of international humanitarian law, requested the Secretary-General to establish a commission of experts to examine and analyse information relating to serious violations of such law being committed in the territory of the former Yugoslavia, and established an international tribunal for the prosecution of persons responsible for such violations,

<sup>166</sup> E/CN.4/1988/85 and Corr.1, para. 30.

<sup>167</sup> A/49/595.

<sup>168</sup> *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 6 (A/48/6/Rev.1); and ibid., Supplement No. 6A (A/48/6/Rev.1/Add.1).*

<sup>169</sup> Resolution 260 A (III).

<sup>170</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

<sup>171</sup> *Ibid.*, vol. 1125, Nos. 17512 and 17513.