

1997/266. Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

At its 38th plenary meeting, on 22 July 1997, the Economic and Social Council, taking note of Commission on Human Rights resolution 1997/57 of 15 April 1997:⁴⁸

(a) Approved the Commission's request to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territories of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), in addition to the activities mandated in Commission resolutions 1994/72 of 9 March 1994⁴⁸ and 1996/71 of 23 April 1996:⁴⁹

- (i) To focus her future activities on the prevention and reporting of violations of, and lack of action to protect, all human rights and fundamental freedoms by governmental authorities, particularly violations that exacerbate ethnic tension, and on protecting the rights of persons belonging to minorities, women and vulnerable groups such as children and the elderly, particularly their right to return to their homes in safety and dignity;
- (ii) To continue to support the efforts of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to report on the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")⁵⁰ by exchanging information and advice on the human rights situation in the territories covered by her mandate with the High Representative, the Organization for Security and Cooperation in Europe and other competent organizations, and by providing to the High Representative her recommendations concerning compliance with the human rights elements of the Peace Agreement;
- (iii) To contribute to the efforts for the building of democratic institutions and the improvement of the administration of justice, for the prevention and reporting of violations by civil authorities,

particularly violations that exacerbate ethnic tension, and for the protection of the rights of persons belonging to minorities, women and vulnerable groups such as children and the elderly, particularly their right to return to their homes in safety and dignity;

- (iv) To act on behalf of the United Nations in dealing with the question of the missing, including through participation in the Expert Group on Exhumation and Missing Persons of the Office of the High Representative and the Working Group on the Process for Tracing Persons Unaccounted For, chaired by the International Committee of the Red Cross, and attendance at meetings of the International Commission on Missing Persons in the Former Yugoslavia, to contribute to a smooth transition between the mandate of the expert for the special process and the organizations to which his functions are to be transferred, and to report to the Commission on Human Rights about activities concerning missing persons in the former Yugoslavia;

- (v) To provide the Commission at its fifty-fourth session with her overview of the human rights situation in the territories covered by her mandate, as requested in Commission resolution 1996/71;

(b) Endorsed the Commission's decision to extend the mandate of the Special Rapporteur for one year, as revised in Commission resolution 1997/57, and its request that she continue her vital efforts, especially by continuing to carry out missions to Bosnia and Herzegovina, the Republic of Croatia, including Eastern Slavonia, Baranja and Western Sirmium, and the Federal Republic of Yugoslavia (Serbia and Montenegro), including to Kosovo, as well as to Sandjak and Vojvodina, and that she continue to submit periodic reports to the General Assembly and the Commission on Human Rights;

- (c) Also endorsed the Commission's decision:

- (i) To request the Special Rapporteur to submit a final report on the former Yugoslav Republic of Macedonia to the Commission no later than 30 September 1997 and, unless the Special Rapporteur recommends otherwise in her report, to discontinue its consideration of the former Yugoslav Republic of Macedonia upon delivery of that report;

- (ii) To request the Secretary-General to continue to make the reports of the Special Rapporteur available to the Security Council and the Organization for Security and Cooperation in Europe;

- (iii) To urge the Secretary-General to make available, from within existing resources, all necessary resources for the Special Rapporteur to carry out her mandate successfully and, in particular, to provide her with adequate staff based in the territories covered by her mandate to ensure effective continuous monitoring of the human rights situation there and coordination with other international organizations involved.

⁴⁸ Ibid., 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

⁴⁹ Ibid., 1996, Supplement No. 3 and corrigendum (E/1996/23 and Corr.1), chap. II, sect. A.

⁵⁰ See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

³⁹ See *Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23)*, chap. II, sect. A.