

Human rights and mass exoduses

Commission on Human Rights resolution 2000/55

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, as well as those of the General Assembly, and the conclusions of the World Conference on Human Rights, 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,

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 all relevant human rights standards, including the Universal Declaration of Human Rights, the principles of international protection for refugees and the General Conclusion on international protection adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fiftieth session in October 1999, 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 adopted by the General Assembly in its resolution 49/59 of 9 December 1994, 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,

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 Court (A/CONF.183/9), 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 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 United Nations High Commissioner for Human Rights on human rights and mass exoduses (E/CN.4/2000/81);
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 relating to the Status of Refugees and its 1967 Protocol 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 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 United Nations 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 United Nations High Commissioner for Human Rights, the United Nations 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 United Nations 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 United Nations 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;

14. *Welcomes with appreciation* the ongoing contributions of the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees and the Representative of the Secretary-General to the deliberations of the Commission 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 United Nations High Commissioner for Refugees to address the Commission at each of its future sessions;

15. *Requests* the United Nations 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 United Nations 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.]

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