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COMMISSION ON HUMAN RIGHTS
Fifty-ninth session
Agenda item 9

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

**Australia, Austria, Belgium, Bulgaria*, Canada, Cyprus*, Czech Republic*,
Denmark*, Estonia, Finland*, France, Germany, Greece*, Hungary*, Iceland*,
Ireland, Italy*, Kuwait*, Latvia*, Liechtenstein*, Lithuania*, Luxembourg*,
Malta*, Netherlands*, Norway*, Poland, Portugal*, Romania*, Slovakia*,
Slovenia*, Spain*, Sweden, Switzerland* and United Kingdom of Great Britain
and Northern Ireland, United States of America: draft resolution**

2003/... Situation of human rights in Iraq

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,
the International Covenants on Human Rights and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human
rights and fundamental freedoms and to fulfil the obligations they have undertaken under the
various international instruments in this field,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional
commissions of the Economic and Social Council.

Mindful that Iraq is a party to the International Covenants on Human Rights and to other international human rights instruments,

Mindful also that all the parties to the current conflict in Iraq are parties to the Geneva Conventions of 12 August 1949 for the protection of victims of war,

Noting the adoption on 28 March 2003 by the United Nations Security Council of its resolution 1472 (2003),

Noting the central role of the United Nations system and its unique capacity and practical experience in coordinating assistance in conflict and post-conflict situations, inter alia with regard to the protection of and respect for human rights,

Recalling previous resolutions of the General Assembly and the Commission on the subject, most recently Assembly resolution 57/232 of 18 December 2002 and Commission resolution 2002/15 of 19 April 2002, as well as Security Council resolution 686 (1991) of 2 March 1991, in which the Council demanded that Iraq release all Kuwaiti and third-State nationals detained by Iraq,

1. *Reiterates its strong condemnation* of the systematic, widespread and extremely grave violations of human rights and of international humanitarian law by the Government of Iraq over many years, which have resulted in an all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror;

2. *Requests* all parties to the current conflict in Iraq to abide strictly by their obligations under international humanitarian law, in particular the Geneva Conventions and the Hague Regulations including those relating to the essential civilian needs of the people of Iraq;

3. *Calls upon* the international community, including all parties to the current conflict, to address as a matter of urgency the major humanitarian needs of the people of Iraq;

4. *Calls upon* the Government of Iraq to abide by its freely undertaken obligations under international human rights treaties, and to respect and ensure the rights of all individuals subject to its jurisdiction, irrespective of their origin, ethnicity, gender or religion;

5. *Welcomes* the report of the Special Rapporteur on the situation of human rights in Iraq (E/CN.4/2003/40);

6. *Decides*:

(a) To extend the mandate of the Special Rapporteur, as contained in Commission resolution 1991/74 of 6 March 1991 and subsequent resolutions, for a further year and requests

the Special Rapporteur to submit an interim report on the situation of human rights in Iraq to the General Assembly at its fifty-eighth session and to report to the Commission at its sixtieth session;

(b) To request the Secretary-General to continue to give all necessary assistance to the Special Rapporteur to enable him to discharge his mandate fully;

(c) To continue its consideration of the situation of human rights in Iraq at its sixtieth session under the same agenda item.

7. *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 2003/... of ... April 2003 endorses the decision of the Commission to extend the mandate of the Special Rapporteur, as contained in Commission resolution 1991/74 of 6 March 1991 and subsequent resolutions, for a further year, and to request the Special Rapporteur to submit an interim report on the situation of human rights in Iraq to the General Assembly at its fifty-eighth session and to report to the Commission at its sixtieth session.”

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