

report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur,<sup>221</sup>

*Welcoming* the authorization granted to a delegation comprising representatives of four international human rights organizations to visit Cuba, and encouraging the Government of Cuba to grant further access to such organizations,

*Also welcoming* the release of a number of political prisoners,

*Recalling* the continued failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1995/66, including its refusal to permit the Special Rapporteur to visit Cuba,

1. *Commends* the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Cuba;

2. *Expresses its full support* for the work of the Special Rapporteur;

3. *Calls once more upon* the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. *Regrets profoundly* the numerous violations of human rights and fundamental freedoms in Cuba, as described in the report of the Special Rapporteur to the Commission on Human Rights<sup>222</sup> and in his interim report;<sup>221</sup>

5. *Urges* the Government of Cuba to ensure freedom of expression and assembly and the freedom to demonstrate peacefully, including by allowing political parties and non-governmental organizations to function freely in the country and by reforming legislation in this area;

6. *Welcomes* the ratification by the Government of Cuba of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;<sup>135</sup>

7. *Calls especially upon* the Government of Cuba to release the numerous persons detained for activities of a political nature, including those specifically mentioned in the report of the Special Rapporteur who suffer from inadequate medical care while imprisoned or whose rights as journalists or jurists are impeded or denied;

8. *Calls upon* the Government of Cuba to adopt the other measures proposed in the interim report of the Special Rapporteur to bring the observance of human rights and fundamental freedoms in Cuba into conformity with international law and international human rights instruments and to end all violations of human rights by, *inter alia*, ratifying and effectively implementing those international human rights instruments to which it is not yet party, ceasing the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association, respecting due process, and granting permission for access to the prisons by non-governmental humanitarian organizations and international humanitarian agencies;

9. *Decides* to continue its consideration of this question at its fifty-first session.

99th plenary meeting  
22 December 1995

## 50/199. Situation of human rights in Nigeria

*The General Assembly,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>5</sup> the International Covenants on Human Rights,<sup>22</sup> the Vienna Declaration and Programme of Action<sup>3</sup> and other human rights instruments,

*Reaffirming* that all Member States have the duty to fulfil the obligations they have freely undertaken under the various international instruments in this field,

*Mindful* that Nigeria is a party to the International Covenant on Civil and Political Rights,<sup>22</sup>

*Expressing concern* that the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms, and recalling in this regard the popular support for democratic rule as evidenced in the 1993 elections,

*Noting with interest* that the Government of Nigeria, on 1 October 1995, affirmed the principle of multi-party democracy, announcing its intent to accept the principle of power-sharing, lift the ban on political activity and the press, devolve power to local levels of government and subordinate the military to civilian authority, but disappointed that only limited action in this regard has followed,

*Noting with alarm* the recent arbitrary executions of nine persons, namely Ken Saro-Wiwa, Barinem Kiobel, Saturday Dobee, Paul Levura, Nordu Eawo, Felix Nwate, Daniel Gbokoo, John Kpuimen and Baribor Bera,

*Noting* the decision of the heads of Government of the Commonwealth countries to suspend Nigeria from membership in the Commonwealth,

*Noting also* the decisions of the European Union, as well as those of other States or groups of States with regard to Nigeria,

*Deeply concerned* about the human rights situation in Nigeria and the suffering caused thereby to the people of Nigeria,

1. *Condemns* the arbitrary execution, after a flawed judicial process, of Ken Saro-Wiwa and his eight co-defendants, and emphasizes that everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial with all the guarantees necessary for defence;

2. *Expresses its deep concern* about other violations of human rights and fundamental freedoms in Nigeria, and calls upon the Government of Nigeria urgently to ensure their observance, in particular by restoring habeas corpus, releasing all political prisoners, guaranteeing freedom of the press and ensuring full respect for the rights of all individuals, including trade unionists and persons belonging to minorities;

3. *Calls upon* the Government of Nigeria to abide by its freely undertaken obligations under the International Covenant on Civil and Political Rights and other international instruments on human rights;

4. *Urges* the Government of Nigeria to take immediate and concrete steps to restore democratic rule;

5. *Welcomes* the decisions by the Commonwealth and other States individually or collectively to take various actions designed to underline to the Government of Nigeria the importance of return to democratic rule and observance of human rights and fundamental freedoms, and expresses the hope that these actions and other possible actions by other States, consistent with international law, will encour-

<sup>221</sup>A/50/663, annex.

<sup>222</sup>E/CN.4/1995/52.

age the Government of Nigeria to achieve that specific purpose;

6. *Invites* the Commission on Human Rights at its fifty-second session to give urgent attention to the situation of human rights in Nigeria, and recommends, in this regard, that its relevant mechanisms, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, report to the Commission prior to its fifth-third session;

7. *Requests* the Secretary-General, in the discharge of his good offices mandate and in cooperation with the Commonwealth, to undertake discussions with the Government of Nigeria and to report on progress in the implementation of the present resolution and on the possibilities for the international community to offer practical assistance to Nigeria in achieving the restoration of democratic rule.

99th plenary meeting  
22 December 1995

## 50/200. Situation of human rights in Rwanda

*The General Assembly,*

*Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights,<sup>5</sup> the International Covenants on Human Rights,<sup>22</sup> the Convention on the Prevention and the Punishment of the Crime of Genocide<sup>199</sup> and other applicable human rights and humanitarian law standards,

*Recalling* its resolution 49/206 of 23 December 1994, and taking note of Commission on Human Rights resolution 1995/91 of 8 March 1995,<sup>38</sup> in which the Commission renewed the mandate of the Special Rapporteur to investigate the human rights situation in Rwanda,

*Welcoming* the commitments of the Government of Rwanda to protect and promote respect for human rights and fundamental freedoms and to eliminate impunity, recalling the efforts to restore the rule of law and reconstruct the civil administration and the social, legal and human rights infrastructure, and noting that these efforts are hampered by a lack of resources,

*Noting* the concerns of the Special Rapporteur, as set out in his report of 28 June 1995,<sup>223</sup> that the human rights situation is exacerbated by the inadequate system for the administration of justice, characterized by a shortage of both human and material resources, and that there are threats and violence against the physical integrity of individuals, arrest, detention and treatment and conditions of detention, which do not conform to international standards,

*Expressing its grave concern* at the tragedy of Kibeho in April 1995, and bearing in mind the conclusions of the Independent International Commission of Inquiry in its report of 18 May 1995,<sup>224</sup>

*Recalling* the obligations of all States to punish all persons who commit or authorize genocide or other grave violations of international humanitarian law or those who are responsible for grave violations of human rights and, pursuant to Security Council resolution 978 (1995) of 27 Feb-

ruary 1995, to exert every effort, without delay, to bring those responsible to justice in accordance with international principles of due process, and to honour their obligations under international law in this regard, particularly under the Convention on the Prevention and Punishment of the Crime of Genocide,

*Welcoming* the measures taken by the United Nations High Commissioner for Human Rights to put in place the Human Rights Field Operation in Rwanda and to coordinate its activities with those of the Special Representative of the Secretary-General, the United Nations High Commissioner for Refugees, the United Nations Development Programme, the United Nations Assistance Mission for Rwanda, the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994, the Department of Humanitarian Affairs of the Secretariat, and other United Nations agencies and intergovernmental and non-governmental organizations, and the International Committee of the Red Cross,

*Recognizing* the valuable contribution that the human rights officers deployed by the United Nations High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

*Deeply concerned* by the reports of the Special Rapporteur and the United Nations High Commissioner for Human Rights, according to which genocide and systematic, widespread and flagrant violations of international humanitarian law, including crimes against humanity and grave violations and abuses of human rights, were committed in Rwanda,

*Welcoming* the policy of the Government of Rwanda to facilitate the process of voluntary and safe return, resettlement and reintegration of refugees, as reaffirmed in the Cairo Declaration on the Great Lakes Region of 29 November 1995,<sup>225</sup>

*Noting* the United Nations support for all efforts to reduce tension and restore stability in the Great Lakes region, and supporting initiatives of the Secretary-General in this regard, particularly in implementing the Cairo Declaration on the Great Lakes Region and continuing consultations with the aim of convening a conference on security, stability and development in the Great Lakes region, as appropriate,

*Recalling* Security Council resolution 1029 (1995) of 12 December 1995, in which the Council renewed the mandate of the United Nations Assistance Mission for Rwanda to exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference<sup>226</sup> and the Cairo Summit of the heads of State of the Great Lakes region,<sup>225</sup> and in promoting genuine national reconciliation, to assist the Office of the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical

<sup>223</sup>A/50/709-S/1995/915, annex III; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/915.

<sup>224</sup>See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/411.

<sup>225</sup>*Ibid.*, Supplement for October, November and December 1995, S/1995/1001.

<sup>226</sup>Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995.