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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION; ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

German Democratic Republic: amendments to
draft resolution E/CN.4/1984/L.23

1. To delete the second preambular paragraph and the words "The Economic and Social Council",
2. Between the seventh and eighth preambular paragraphs to insert a new preambular paragraph to read:

"Aware of the fact that major decisions concerning the organization and operation of the United Nations system for the promotion and protection of human rights, including the establishment of a post of High Commissioner for Human Rights, should be adopted only on the basis of a general agreement which takes account of the different views expressed by Member States in order to ensure their effectiveness".
3. To replace operative paragraph 1 by the following text:

"Decides to inform the General Assembly, through the Economic and Social Council, of its view that the establishment of a post of High Commissioner for Human Rights without the general agreement of Member States would be ineffective, counter-productive and undesirable".
4. In operative paragraph 2 after the words "High Commissioner", to insert the words "if established", and at the end of the paragraph to add the following: "and not directed towards obtaining political advantage for any State".

^{*/} Reissued for technical reasons.

5. To replace operative paragraphs 3 and 4 by the following text based on operative paragraphs 2 and 3 of resolution 1983/36 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

"3. Suggests that the Bureau of the Commission on Human Rights should act as an advisory committee to the High Commissioner, advising him or her on any aspect of the latter's responsibilities; such advice may be given on the initiative of the Bureau, or at the request of the High Commissioner;

4. Suggests further that the High Commissioner should be elected by the General Assembly. The period of his or her mandate should be five years. He or she should not serve for two consecutive terms. The High Commissioner shall be elected on the principle of regional rotation to ensure that every United Nations geographical region gets the post of High Commissioner;"

6. To replace operative paragraph 6 by the following:

"Decides to proceed to a thorough analysis of the question of the establishment of a post of the High Commissioner for Human Rights together with its possible functions and responsibilities as set out in the annex to the present resolution at its forty-first session under the agenda item 'Further promotion and encouragement ...'".

7. To delete operative paragraph 7.

8. In paragraph (c) of the annex to replace the words "whenever such action appears necessary or desirable" by the words "whenever such action is assigned to him by the General Assembly, the Economic and Social Council of the Commission on Human Rights and".

9. In the annex to insert in subparagraph (iii) of paragraph (c) after the words "ascertaining the facts" the phrase "by using exclusively official sources of information".