

citizens in the Golan; called on Israel to desist from repressive measures and other practices against Syrian citizens in the Golan cited in the report of the Special Committee; determined that legislative and administrative measures taken by Israel that alter the character and legal status of the Golan are null and void and constitute a violation of international law and the Geneva Conventions; and, called on UN member states not to recognize any of the legislative and administrative measures taken by Israel in the Golan.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4, paras. 4, 5, 13, 17; E/CN.4/1997/4/Add.1, Decisions 29, 30, 31)

The main report notes that 22 cases and one urgent appeal were transmitted and that the government responded. No details of the cases or the response were provided.

Decision 29 (1996) concerns 11 people who were arrested on various dates between 1982 and 1990, on the sole charge of belonging to the Hizb-'al-Amal al Shuyu'i, the Party for Communist Action. None was brought to trial until 1994, when they were sentenced by the Supreme State Security Court to prison terms ranging from 8 to 15 years. The Working Group (WG) cited a number of difficulties in assessing these cases, including the government's lack of cooperation with the Working Group, the inadequacies in the information provided by the source (no indication of each individual's date of arrest, what sentence was passed in each case, or why the detainees have not benefited from the 1995 amnesty) and the lack of information from either the source or the government on whether or not the time that has elapsed between the day of arrest and the day of sentencing will be taken into account in the sentences handed down. Despite these difficulties and shortcomings the Working Group declared the detentions to be arbitrary, contravening articles 19 and 20 of the Universal Declaration and articles 19 and 22 of the ICCPR related to freedom of expression and the right of association.

Decision 30 (1996) concerns two individuals who were arrested in 1981 and 1990 on the sole charge of belonging to the Hizb-'al-Amal al Shuyu'i, the Party for Communist Action. Their trial did not begin until 1992 and in 1994 they were sentenced to prison terms of 15 years. The same difficulties as those encountered in Decision 29 are noted but again the Working Group declared the detentions to be arbitrary for the same reasons as above, as well as a denial of the right to be tried within a reasonable period of time.

Decision 31 (1996) concerns the cases of eight people who were arrested between 1980 and 1990 on the sole charge of belonging to the asl-Hizb al Shuyu'i al Maktab al Siyassi, the Communist Party Political Bureau. Over 100 people were involved in the arrests, all of whom-with the exception of the eight persons related to this decision-were released as a result of various amnesties. The trial of the eight was not held until 1992 and in 1994 they were sentenced by the Supreme State Security Court to terms of imprisonment ranging from 12 to 15 years. The Working Group noted that none of the defendants benefited from the 1995 amnesty. Citing the same

difficulties as above, the Working Group nonetheless declared the detentions to be arbitrary on the same bases as the others.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, paras. 339-341)

No new cases of disappearance were transmitted by the Working Group to the government. The government provided information clarifying six outstanding cases; there remain 11 cases to be clarified, most of which occurred in the early- to mid-1980s. Some of those disappeared were allegedly members of terrorist groups and others were reportedly members of the military or civilians.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 18, 19; E/CN.4/1997/60/Add.1, paras. 461-462)

The report refers to a case of death custody that had previously been sent to the government and the government's response that the individual had been suffering from an incurable disease that had led to his death.

Torture, Special Rapporteur on: (E/CN.4/1997/7, Section III; E/CN.4/1997/7/Add.1, para. 477)

One urgent appeal was sent to the government on behalf of two individuals, both Sudanese asylum seekers who were being detained in Syria at an immigration prison. Fears had been expressed that if forcibly returned to Sudan there was a risk of arrest, torture and ill-treatment. The government replied that they had not expressed any objection to going to Sudan, did not consider their lives to be danger and did not feel they had any political problems in their country. The government provided the Special Rapporteur with a declaration to this effect, apparently signed by the two men.

Mechanisms and Reports of the Sub-Commission

States of emergency, Special Rapporteur on: (E/CN.4/Sub.2/1997/19/Add.1, Section I)

The report notes that a state of emergency was proclaimed in Syria on 8 March 1963 and is still in force.

Other Reports

Detention of international civil servants, Report of the S-G to the CHR: (E/CN.4/1997/25, Annex)

The report of the Secretary-General notes that a member of the UN Relief and Works Agency for Palestine Refugees in the Near East has been missing in Syria since April 1980 and that another UN staff member has been detained in Syria since 1980.

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TAJIKISTAN

Date of admission to UN: 2 March 1992.

TREATIES AND REPORTS TO TREATY BODIES

Land and People: Tajikistan has not submitted a core document for use by the treaty bodies.

Racial Discrimination

Acceded: January 1995.

Tajikistan's initial report was due 10 February 1996.