

and during the current one, and ensure that the executive branch cooperates fully with the judicial branch in all necessary respects;

- ♦ adopt other measures to end impunity, especially in respect of war crimes and crimes against humanity, regardless of who is responsible;
- ♦ ensure that the new Congolese armed forces meet criteria of national representation and not be dominated by a particular ethnic group, region or political tendency;
- ♦ establish the army and the police as national institutions, integrate former Zairian Armed Forces (FAZ) members in conditions of dignity, provide mandatory training to develop a culture of respect for human rights and ensure that children under the age of 15 do not take part in hostilities;
- ♦ implement plans to reintegrate into society the Alliance's child soldiers and to put an end to their crimes;
- ♦ take steps to stop and eradicate completely summary executions, enforced disappearances, looting and torture;
- ♦ eliminate all measures that restrict freedom of opinion and expression for journalists, newspaper-owners and all Congolese people who need or wish to be informed and cease persecuting people for their ideas or for disseminating them;
- ♦ permit non-governmental organizations complete freedom in establishing themselves, electing their authorities, receiving contributions, determining their mandates and exercising their functions; and
- ♦ implement a policy to guarantee an end to legal, cultural and educational discrimination against women.

The report recommends that the international community — regional and international organizations, whether governmental or not, and states — help to rehabilitate the environment of the DR Congo, which was damaged by the presence of more than 1 million Rwandan refugees, and provide assistance to internally displaced persons.

Resolution of the Commission on Human Rights

At the 1998 session, the Commission adopted a resolution by roll call vote (1998/61) in which it, *inter alia*: acknowledged that the new government inherited a chaotic situation characterized in part by a deteriorating economy, a high inflation rate and low investment in health, education and housing; acknowledged that the massive presence of Rwandese refugees in the eastern part of the country created major economic, social and political problems; welcomed the expressed commitment of the government to a process of democratization leading to elections and the creation of a state based on the rule of law and respect for human rights, establishment of the Constitutional Commission and the expressed commitment of the government to reform and

restore the efficacy of the judicial system; and, welcomed the government's efforts to subordinate the armed forces to rule of law. The Commission: welcomed the government's willingness to include human rights education in the primary and secondary school curricula; expressed concern at the human rights situation in the country generally, and in the eastern part of the country, particularly as well as such continuing violations as arbitrary arrest, detention without trial, the trial of civilians and the use of the death penalty by military courts, the temporary suspension of the activities of political parties and restrictions on the work of NGOs; and the refusal of the government to allow the SR to conduct an in-country mission. Concern was expressed over the fact that large numbers of refugees and displaced persons who disappeared between 1994 and 1997 that had not yet been accounted for. The commission called on the government to: implement fully its commitment to a process of democratization and continue with its timetable for preparations for holding free and fair elections; ensure full respect for freedom of opinion and expression, including for all mass media, as well as freedom of association and assembly; strengthen its cooperation with the OHCHR in Kinshasa; promote human rights awareness, *inter alia*, by strengthening cooperation with civil society, including human rights NGOs. The commission expressed serious concern at the circumstances obliging the Secretary-General to withdraw the Investigative Team established under his auspices, including the temporary detention of one member of the Team and allegations of intimidation of witnesses. The commission demanded that the government cooperate fully with the Secretary-General, the High Commissioner for Human Rights and the Commission on Human Rights in addressing the allegations of massacres and other violations; extended the mandate of the SR for a further year; and, requested the international community to support the OHCHR in Kinshasa to strengthen its involvement in advisory services and technical cooperation programmes as well as human rights advocacy programmes and its support for and cooperation with human rights NGOs in DR Congo.

The resolution was adopted by a vote of 28 in favour, 7 opposed, 11 abstentions.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Disappearances, Working Group on enforced or involuntary on: (E/CN.4/1998/43, paras. 12, 152–155)

No new cases of disappearance were transmitted by the Working Group to the government. The majority of the 27 reported cases of disappearance occurred between 1975 and 1985 and concerned persons suspected of being members of a guerrilla group known as the Parti de la révolution populaire or of being political activists. Other cases concerned a journalist who was allegedly abducted from his home in 1993 by members of the Division spéciale présidentielle and the civil guard, and interrogated