

foremost, be concentrated on prevention and called for the early adoption of an optional protocol to the Convention against Torture; noted that the optional protocol is intended to establish a preventive system of regular visits to places of detention; stated that a final text of a draft optional protocol could be completed in one more session of the open-ended working group; and requested the open-ended working group to meet prior to the 1999 session of the Commission for two, and possibly three, weeks with a view to completing a final and substantive text.

### Resolution of the General Assembly

At its 1998 session the General Assembly adopted a resolution on torture and other cruel, inhuman or degrading treatment or punishment (A/C.3/53/L.23). The General Assembly, *inter alia*: recalled that the World Conference on Human Rights firmly declared that efforts to eradicate torture should, first and foremost, be concentrated on prevention, and called for the early adoption of an optional protocol to the Convention against Torture; urged all governments to abrogate legislation leading to impunity for those responsible for grave violations of human rights such as torture, and prosecute such violations; recalled GA resolution 36/151 of 16 December 1981 establishing the UN Voluntary Fund for Victims of Torture; noted the existence of an international network of centres for the rehabilitation of torture victims; recalled GA resolution 52/149 of 12 December 1997 proclaiming 26 June as UN International Day in Support of Victims of Torture; welcomed the report of the Committee against Torture; noted 106 states have become parties to the Convention; urged states that have not yet done so to become parties to the Convention as a matter of priority; invited state parties that have not done so to make the declarations provided for in articles 21 and 22 of the Convention and consider the possibility of withdrawing their reservations to article 20; urged states parties to comply strictly with their obligations under the Convention, including their obligation to submit periodic reports; invited states parties to incorporate a gender perspective when submitting reports to the Committee; urged governments to take fully into account the conclusions and recommendations made by the Committee after consideration of their reports; noted the efforts made to elaborate an optional protocol; called on all governments to cooperate with and to assist the Special Rapporteur of the Commission on Human Rights, in particular by supplying all necessary information, responding appropriately and expeditiously to urgent appeals, giving serious consideration to requests to visit their countries and following up on the SR's recommendations; approved the methods of work employed by the SR; stressed the need for regular exchanges of views between the Committee, the SR and other relevant UN mechanisms and bodies, as well as efforts aimed at cooperation with relevant programmes, notably the programme on crime prevention and criminal justice; expressed its gratitude and appreciation to the governments and others that have already contributed to the Voluntary Fund for Victims of Torture;

appealed to governments and others to respond favourably to requests for contributions to the Fund, if possible on a regular basis and with a substantial increase in the level of contributions; and invited donor and recipient countries to consider emphasizing the protection of human rights and the prevention of torture in their bilateral programmes and projects relating to the training of armed forces, security forces, and prison, police and health-care personnel, and to keep in mind a gender perspective.



## TOXIC AND DANGEROUS PRODUCTS AND WASTES

### Special Rapporteur on the illicit movement and dumping of toxic and dangerous products and wastes

The mandate of the Special Rapporteur (SR) on the illicit movement and dumping of toxic and dangerous products and wastes was established by a 1995 resolution of the Commission on Human Rights (1995/81). The mandate of the SR has four components: investigation and examination of the effects of illicit dumping of toxic wastes and products in African and other developing countries, with particular attention paid to effects on the rights to life and health; receipt of information on the illicit traffic and dumping of such wastes and products in African and other developing countries; recommendations and/or proposals for measures to control, reduce and eradicate this illicit traffic in, transfer to and dumping of such products in African and other developing countries; and production annually of a list of countries and transnational corporations engaged in the illicit dumping of toxic wastes and products in African and other developing countries, as well as production of a census of persons killed, maimed or otherwise injured in developing countries through this practice. In 1998 the Special Rapporteur (SR) was Fatima Z. Ksentini.

With the mandate up for renewal at the 1998 session, the SR prepared three reports for the Commission: the main or general report; a compilation of the replies of governments to information and criticisms contained in the 1997 report; and a report of a mission undertaken to Africa. The mission to Africa reflects the SR's intention, over time, to visit each of the UN's five geopolitical regions — Africa, Asia, Eastern Europe, Latin America and the Caribbean, and Western Europe and Other.

### Main report (E/CN.4/1998/10)

The main report of the Special Rapporteur summarizes replies received from governments and non-governmental organizations. The report also includes a review of cases and incidents referred to the SR involving specific countries [see country profiles for summaries of rel-