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BMT yanında
Daimi Nümayəndəliyi**



**Permanent Mission
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to the United Nations**

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The Permanent Mission of the Republic of Azerbaijan to the United Nations presents its compliments to all Permanent Missions to the United Nations and has the honor to inform that the Delegation of the Republic of Azerbaijan to the Fifty-fourth Session of the Commission on the Status of Women (CSW) has decided, as it has been the case in the course of previous sessions, to put forward biannual draft resolution entitled "Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts".

The Permanent Mission would like to remind that the CSW unanimously adopted the previous resolutions on the subject-matter thus promoting the noble cause of liberating innocent women and children taken hostage as a result of armed conflicts. Changes (in bold and underlined type) have been incorporated to update the draft resolution (attached).

The Permanent Mission would like to inform that the Republic of Azerbaijan continues to remain strongly committed to the issue of release of women and children in question and considers it expedient to address the matter at current session as well. As it has become evident from this year's report of the Secretary-General of the United Nations on the implementation of the resolution the issue of hostage women and children remains as pressing as ever. The Delegation of the Republic of Azerbaijan sincerely counts on your invaluable support and requests to consider co-sponsoring of the above-mentioned draft resolution. The first informal consultations on the draft resolution will be convened on February 24, 2010 in Conference Room E (TNLB).

The Permanent Mission of the Republic of Azerbaijan to the United Nations avails itself of this opportunity to renew to all Permanent Missions to the United Nations the assurances of its highest consideration.

New York, 19 February 2010

All Permanent Missions
to the United Nations
New York



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Resolution ~~52/154/-~~

Release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts

The Commission on the Status of Women,

Guiding by the purposes, principles and provisions of the Charter of the United Nations, (GA res. 63/183, PP1)

Guiding also by the principles and norms of international humanitarian law, in particular the Geneva Conventions of 12 August 1949¹ and the Additional Protocols thereto, of 1977,² as well as international standards of human rights, in particular the Universal Declaration of Human Rights,³ the International Covenant on Economic, Social and Cultural Rights,⁴ the International Covenant on Civil and Political Rights,⁵ the Convention on the Elimination of All Forms of Discrimination against Women,⁶ the Convention on the Rights of the Child⁷ and the Vienna Declaration and the Program of Action adopted by the World Conference on Human Rights on 25 June 1993,⁸ (GA res. 63/183, PP2)

Recalling all its previous resolutions on the release of women and children taken hostage, including those subsequently imprisoned, in armed conflicts, as well as all resolutions of the Commission on Human Rights concerning hostage-taking and General Assembly resolution 61/172 of 19 December 2006,

Recalling also the relevant provisions contained in the instruments of international humanitarian law relative to the protection of the civilian population as such,

Noting with deep concern that armed conflicts, hostage-taking and undisclosed imprisonment are continuing in various parts of the world, often resulting in serious violations of international humanitarian law and human rights law, (GA res. 63/183, PP5)

Taking into account the International Convention against the Taking of Hostages, adopted by the General Assembly in its resolution 34/146 of 17 December 1979, which recognizes that everyone has the right to life, liberty and security of person and that the taking of hostages is an offence of grave concern to the international community,

Reaffirming the Beijing Declaration*** and Platform for Action, *** as well as the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",*** and the outcome document of the special

¹ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

² *Ibid.*, vol. 1125, Nos. 17512 and 17513.

³ Resolution 217 A (III).

⁴ See resolution 2200 A (XXI), annex.

⁵ See resolution 2200 A (XXI), annex.

⁶ United Nations, *Treaty Series*, vol. 1249, No. 20378

⁷ *Ibid.*, vol. 1577, No. 27531.

⁸ Resolution 61/177, annex

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session of the Assembly on children entitled "A world fit for children", *** including the provisions therein regarding violence against women and children, and welcoming the ten-year review and appraisal of the Beijing Declaration and Platform for Action at the forty-ninth session of the Commission on the Status of Women,

Recalling General Assembly resolution 57/337 of 3 July 2003 on prevention of armed conflict, and Security Council resolution 1325 (2000) of 31 October 2000 on women, peace and security, as well as its resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 on children and armed conflict (*update them*),

Expressing grave concern at the continuation of armed conflicts in many regions throughout the world and the human suffering and humanitarian emergencies they cause,

Noting that the issue of women and children taken hostage, including those subsequently subjected to undisclosed imprisonment in armed conflicts, in particular those who are victims of serious violations of international humanitarian law and human rights law, continues to have a negative impact on efforts to put to an end to the conflicts and causes suffering to the families of these persons, and stressing in this regard the need to address the issue from a humanitarian aspect, (GA res. 63/183, PP6)

Emphasizing that all forms of violence in areas of armed conflict committed against the civilian population as such, including taking women and children hostage, seriously contravene international humanitarian law, in particular as set out in the Geneva Conventions of 12 August 1949, ***

Being cognizant that States that a party to an armed conflict have a responsibility for countering hostage-taking and undisclosed imprisonment in armed conflict of women and children and for recognizing their accountability as regards implementing the relevant mechanisms, policies and law, (GA res. 63/183, PP8)

Concerned that, despite the efforts of the international community, acts of hostage-taking in different forms and manifestations, inter alia, those committed by terrorists and armed groups, continue to take place and have even increased in many regions of the world,

Recognizing that hostage-taking calls for resolute, firm and concerted efforts on the part of the international community, in conformity with international humanitarian law and in accordance with international human rights standards, in order to bring such abhorrent practices to an end,

Expressing its strong belief that the rapid and unconditional release of women and children taken hostage in areas of armed conflict will promote the implementation of the noble goals enshrined in the Beijing Declaration and Platform for Action and the outcome documents of the twenty-third special session of the General Assembly, as well as the outcome document of the special session of the Assembly on children, entitled "A world fit for children", including the provisions therein regarding violence against women and children,

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1. Reaffirms that hostage-taking and undisclosed imprisonment, wherever and by whomever committed, is an illegal act aimed at the destruction of human rights and is, under any circumstances, unjustifiable, including as a means to promote and protect human rights;

2. Condemns all violent acts committed against the civilian population as such, in violation of international humanitarian law in situations of armed conflict, and calls for an effective response to such acts, in particular the immediate release of women and children taken hostage, including those subsequently subjected to undisclosed imprisoned, in armed conflicts, including by strengthening international cooperation in this field;

3. Also condemns the consequences of hostage-taking, in particular torture and other cruel, inhuman or degrading treatment or punishment, murder, rape, slavery, and trafficking in women and children;

4. Calls upon States that are parties to an armed conflict to take all necessary measures, in a timely manner, to determine the identity and fate of those women and children imprisoned in an armed conflict and, to the greatest possible extent, to provide their family members, through appropriate channels, with all relevant information they have on their fate; (GA res. 63/183, OP5)

5. Recognizes, in this regard, the need for the collection, protection and management of data on missing persons according to international and national norms and standards, and urges states to cooperate with each other and with the other concerned actors working in this area, *inter alia*, by providing all relevant and appropriate information; (GA res. 63/183, OP6)

4. 6. Strongly urges all parties to armed conflicts to respect fully the norms of international humanitarian law and to take all necessary measures for the protection of the civilian population as such, including measures to prevent and combat acts of hostage-taking, and to release immediately all women and children who have been taken hostage;

5. 7. Urges all parties to armed conflicts to provide safe, unimpeded access to humanitarian assistance for those women and children, in accordance with international humanitarian law;

8. Invites States that are parties to an armed conflict to cooperate fully with the International Committee of the Red Cross in establishing the fate of women and children hostages and those subjected to undisclosed imprisonment and adopt a comprehensive approach to this issue, including all such legal and practical measures and coordination mechanisms as may be necessary, based on humanitarian considerations only; (GA res. 63/183, OP8)

6. 9. Stresses both the need to put an end to impunity and the responsibility of all States to prosecute or bring to justice in accordance with international law those responsible for war crimes, including hostage-taking;

10. Stresses also the need for addressing the issue of release of prisoners, especially women and children as part of peacebuilding process, with reference to all justice and rule of law mechanisms, on the basis of transparency, accountability and public involvement and participation; (GA res. 63/183, OP11)

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- ~~7.~~ 11. Emphasizes the importance of objective, responsible and impartial information, including improved analysis and dissemination of sex-disaggregated and gender related data, including data disaggregated by age on hostages, verifiable by relevant international organizations, in facilitating their release, and calls for assistance to these organizations in this regard;
- ~~8.~~ 12. Requests the Secretary-General to ensure, within the context of the present resolution, the widest possible dissemination of relevant material, in particular material relating to Security Council resolution 1325 (2000), within existing resources;
- ~~9.~~ 13. Also requests the Secretary-General and all relevant international organizations to use their capabilities and undertake efforts to facilitate the immediate release of civilian women and children who have been taken hostage and those subject to undisclosed imprisonment;
- ~~10.~~ 14. Invites the special rapporteurs with relevant mandates, as well as the Special Representative of the Secretary-General on Children and Armed Conflict to continue to address the issue of women and children taken hostage, including those subsequently imprisoned, in armed conflicts and its consequences;
- ~~11.~~ 15. Requests the Secretary-General to submit to the Commission on the Status of Women at its fifty-fourth sixth session a report on the implementation of the present resolution, including relevant practical recommendations, taking into account the information provided by States and relevant international organizations;
- ~~12.~~ 16. Decides to consider the question at its fifty-fourth sixth session.

