



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



1995/5. Use of mercenaries as a means of impeding the exercise
of the right of peoples to self-determination

The Commission on Human Rights,

Recalling the purposes enshrined in the Charter of the United Nations concerning the strict observance of the sovereign equality, political independence and territorial integrity of States and the self-determination of peoples, as well as the need for scrupulous respect for the principle of the non-use of force or threat of use of force in international relations as developed in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)),

Recognizing that mercenaries are used for activities which violate these principles,

Alarmed at the continuing trend of unlawful international activities involving mercenaries in the perpetration of violent actions inimical to the constitutional order of States,

Concerned at the grave menace that the increasing activities of mercenaries represent in many parts of the world,

Gravely concerned at the loss of life, the damage to property and the negative effects on the economies of affected States,

Recalling all relevant resolutions adopted by the United Nations General Assembly,

Recalling also all its previous resolutions on this matter,

Recalling further that the General Assembly, in its resolution 49/150, requested the Special Rapporteur to report to the Assembly at its fiftieth session,

Convinced that it is necessary to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

1. Reaffirms that the recruitment, use, financing and training of mercenaries should be considered offences of grave concern to all States;
2. Urges all States to prevent mercenaries from using any part of their territory to destabilize any sovereign State;
3. Calls upon all States that have not yet done so to consider taking early action to accede to or ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;
4. Decides to extend the mandate of the Special Rapporteur for three years;
5. Also decides that the Special Rapporteur, in carrying out his mandate, shall seek and receive credible and reliable information from Governments, specialized agencies and intergovernmental and non-governmental organizations;
6. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance;
7. Requests the Special Rapporteur to report to the Commission at its fifty-second session on his activities;
8. Urges all States to cooperate with the Special Rapporteur in the fulfilment of his mandate;

9. Decides to consider at its fifty-second session the question of the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation";

10. Recommends the following draft decision to the Economic and Social Council for adoption:

[For the text, see chap. I, sect. B, draft decision 1]

29th meeting

17 February 1995

[Adopted by a roll-call vote of 34 votes to 1,
with 15 abstentions. See chap. IX. E/CN.4/1995/176]