



# OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS



## Hostage-taking

Commission on Human Rights resolution 2003/40

*The Commission on Human Rights,*

*Recalling* the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, freedom from torture or degrading treatment, freedom of movement and protection from arbitrary detention,

*Recalling also* the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23),

*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 also 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, as well as the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly in its resolution 3166 (XXVIII) of 14 December 1973,

*Bearing in mind* the relevant Security Council resolutions condemning all acts of terrorism, including those of hostage-taking, in particular, resolution 1440 (2002) of 24 October 2002,

*Mindful* of the fact that hostage-taking constitutes a war crime under the Rome Statute of the International Criminal Court and is also a grave breach of the Geneva Conventions of 12 August 1949,

*Recalling* its previous resolutions on the subject, including its most recent resolution, 2001/38 of 23 April 2001, in which it condemned the taking of any person as a hostage, as well as General Assembly resolution 57/220 of 18 December 2002 on the same subject,

*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,

*Appealing* for the humanitarian action of humanitarian organizations, in particular of the International Committee of the Red Cross and its delegates, to be respected, in accordance with the Geneva Conventions of 12 August 1949 and the Additional Protocols of 1977 thereto,

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

1. *Reaffirms* that hostage-taking, wherever and by whomever committed, is a serious crime 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 acts of hostage-taking anywhere in the world;
3. *Demands* that all hostages be released immediately and without any preconditions, and expresses its solidarity with the victims of hostage-taking;
4. *Calls upon* States to take all necessary measures, in accordance with relevant provisions of international law and international human rights standards, to prevent, combat and punish acts of hostage-taking, including by strengthening international cooperation in this field;
5. *Urges* all thematic special rapporteurs and working groups to continue to address, as appropriate, the consequences of hostage-taking in their forthcoming reports to the Commission;
6. *Decides* to remain seized of this matter.

*58th meeting*

*23 April 2003*

[Adopted without a vote.

See chap. XI. - E/CN.4/2003/L.11/Add.4]