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COMMISSION ON HUMAN RIGHTS

Sixtieth session

SUMMARY RECORD OF THE 60th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 23 April 2004, at 10 a.m.

Chairperson: Mr. SMITH (Australia)

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The meeting was called to order at 10.15 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

(agenda item 9) (continued) (E/CN.4/2004/L.36)

Draft resolution concerning the situation of human rights in the Sudan
(E/CN.4/2004/L.36) (continued)

1. Mr. BIGGAR (Ireland), speaking on behalf of the European Union (EU), said that the sponsors of draft resolution E/CN.4/2004/L.36 wished to hold further consultations with a view to reaching a consensus on the text.
2. Mr. REYES RODRIGUEZ (Cuba) said that, while his delegation appreciated the efforts that were being made to draft a text that was acceptable to all parties, it would be preferable to postpone consideration of the text until the next session or leave the matter in the hands of another United Nations body, in order to avoid an unnecessary conflict of interests. He urged the EU not to insist on the adoption of the draft resolution. The draft statement on the situation of human rights in the Sudan that had been circulated by the Chairperson at the previous meeting (E/CN.4/2004/Future.6) was more balanced than the draft resolution and provided the foundations for greater cooperation.
3. The CHAIRPERSON said that it would be vastly preferable to reach a consensus on the matter and therefore suggested that the meeting be suspended in order to allow time for further consultations.

The meeting was suspended at 10.25 a.m. and resumed at 12.15 p.m.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued)
(E/CN.4/2004/Future.6)

Draft decision concerning the situation of human rights in the Sudan
(E/CN.4/2004/Future.6)

4. Mr. MENGA (Congo) said that, as a result of the consultations, the African Group had decided to submit the Chairperson's statement on the situation of human rights in the Sudan submitted under item 3 as a new draft decision for consideration by the Commission (E/CN.4/2004/Future.6), in order to reflect the concerns of the African Group about the prevailing situation in the Sudan, particularly in the light of the statement made earlier in the session by the Secretary-General. The African Group had entered into good-faith negotiations with all interested parties, and in particular with the EU. Whereas it had not been possible to

reach a consensus on the draft resolution contained in document E/CN.4/2004/L.36, the draft decision reflected all the concerns that had been raised in the diplomatic sphere with regard to the Sudan. He hoped that the document would meet with the EU's approval.

5. Ms. WHELAN (Ireland), speaking on behalf of the EU, said that the EU was committed to effective multilateralism, in other words to a United Nations system that translated its ideals into action. The EU had engaged in numerous meetings during the current session with the African Union and with the delegation of the Sudan to discuss the situation in the Sudan and had done its utmost to reach a consensus. The language used in the draft decision did not reflect the language that any of the parties individually would have put forward, but represented an honest compromise. The EU was deeply concerned about the humanitarian situation in the Sudan and shared the concerns expressed by the Secretary-General earlier in the session regarding the situation in Darfur when addressing the Commission. In that regard, it welcomed the Secretary-General's decision to send a high-level team to Darfur to gain a better understanding of the situation and to seek improved access to those in need of assistance and protection. It was also deeply concerned about the continuing violations of human rights in other parts of the country. In order to enable the Commission to take appropriate action, the EU was prepared to accept the language used in the draft decision.

6. The CHAIRPERSON informed the Commission that a document outlining the financial implications of the draft decision had been circulated to members.

7. Mr. WILLIAMSON (United States of America) said that, in the words of Edmund Burke, all that was necessary for evil to prevail was for good men and women to fail to act. After the Second World War, the world had said "never again", but the killing fields of Cambodia, and ethnic cleansing in Rwanda, Bosnia and Kosovo, had been allowed to happen because the international community had failed to act.

8. Earlier in the session, the Secretary-General had informed the Commission that ethnic cleansing was taking place in Darfur. The Commission must call upon the Government of the Sudan to halt that practice and to ensure that those responsible were held accountable for their crimes. The legacy of the Commission's sixtieth session would stand or fall on its reaction to the situation in the Sudan. While it could not take unilateral action to stop the carnage, it could stand up and condemn ethnic cleansing. Its priority must be how to act strongly and effectively to protect those who were being targeted on account of their ethnicity, 30,000 of whom had already been killed. Regrettably, his delegation had been prevented from taking part in the negotiations concerning the draft decision. Therefore he asked for sufficient time for his and other delegations to examine the proposal.

9. The CHAIRPERSON said he took it that, in the light of the remarks by the representative of the United States of America, the Commission agreed to postpone consideration of the draft decision on the situation of human rights in the Sudan until the following meeting.

10. It was so decided.

Draft decision concerning organization of work of the sixty-first session of the Commission on Human Rights (continued)

11. The CHAIRPERSON invited the Commission to continue its consideration of the draft decision concerning the organization of the work of its sixty-first session, under which the Commission would recommend to the Economic and Social Council that it authorize six fully serviced additional meetings, including summary records, for the sixty-first session. Such additional meetings would be held only if they proved to be absolutely necessary.
12. Mr. SOBASHIMA (Japan), speaking also on behalf of the United States of America and the United Kingdom, requested clarification as to how many additional meetings were necessary at the next session. At the current session, even though six additional meetings had been held, at least two scheduled meetings had been cancelled. He hoped that fewer scheduled meetings would be cancelled at the sixty-first session, as such meetings had to be paid for, even when cancelled. He wondered whether it would be possible to organize the work at the next session more efficiently so as to reduce the number of additional meetings. He would also like to know whether the General Assembly would be able to provide funding for such requirements, as it appeared that such costs would not be absorbed by the proposed programme budget.
13. Mr. UMER (Pakistan) said that his delegation would be delighted if the Commission could conclude its work at the sixty-first session without holding any additional meetings. However, at its current session, the Commission had created a number of new mandates and additional time would almost certainly be needed at the next session to discuss the activities carried out under those mandates. It would be unwise to reduce the time available to the Commission as its workload was increasing. In that regard, it would be useful to know exactly how many new mandates had been created.
14. Mr. TISTOUNET (Secretary of the Commission) said that three new thematic mandates and two new country mandates had been created at the current session. The ad hoc decision that had been taken to service six additional meetings at the current session had not had any financial implications, as the costs had been absorbed by the conference services budget.
15. Mr. SOBASHIMA (Japan) expressed his delegation's concern that, despite the growing budgetary requirements, the United Nations seemed incapable of prioritizing its activities. The Commission should redouble its efforts to conclude its sessions according to the original schedule. However, given that additional meetings would be held only if they proved to be absolutely necessary and because of the importance it attached to the Commission's activities, his delegation would not block the emerging consensus on the draft decision. It sincerely hoped that the sixty-first session of the Commission would be managed as efficiently as the current session had been.
16. The CHAIRPERSON said he took it that the Commission wished to adopt the draft decision.
17. It was so decided.

The meeting rose at 12.35 p.m.