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Agenda item 30

DRAFT REPORT OF THE COMMISSION

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* E/CN.4/1993/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1993/L.11 and addenda.

VIII. QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

1. The Commission considered agenda item 8 concurrently with items 7, 17, and 18 (see chaps. VII, XVII and XVIII) at its 17th to 21st meetings, on 11, 12 and 15 February, at its 42nd meeting, on 26 February, and at its 53rd meeting, on 4 March 1993. 2/
2. The Commission had before it the following documents:

Concrete proposals for the effective implementation and promotion of the Declaration on the Right to Development, report of the Secretary-General (E/CN.4/1993/16);

Written statement submitted by the International Federation of Rural Adult Catholic Movements, a non-governmental organization on the Roster (E/CN.4/1993/NGO/3);

Written statement submitted jointly by the Union of Arab Jurists and the Women's International League for Peace and Freedom, non-governmental organizations in consultative status (category II) and the Indian Council of South America, a non-governmental organization on the Roster (E/CN.4/1993/NGO/24);

Written statement submitted by the International Organization for the Development of Freedom of Education, a non-governmental organization in consultative status (category II) (E/CN.4/1993/NGO/25).
3. In the general debate on item 8, statements 3/ were made by the following members of the Commission: Australia (19th), Brazil (21st), Burundi (18th), Canada (21st), China (18th), Chile (19th), Colombia (21st), Cuba (21st), Guinea-Bissau (21st), Kenya (21st), India (21st), Indonesia (19th), Malaysia (19th), Mexico (21st), Nigeria (17th), Pakistan (17th), Poland (21st), Romania (21st), Russian Federation (21st), Sri Lanka (19th), Syrian Arab Republic (20th), Sudan (21st), Venezuela (20th).
4. Statements were also made by the observers for: Denmark (on behalf of the European Community and its member States) (20th), Ecuador (20th), Egypt (21st), Ethiopia (19th), Iraq (19th), Israel (21st), Morocco (19th), Philippines (18th), Senegal (21st), Sweden (on behalf of Denmark, Finland, Iceland, Norway and Sweden) (21st).
5. The representative of the International Monetary Fund made a statement (20th).

6. The Commission also heard statements by the following non-governmental organizations: American Association of Jurists (21st), Centre Europe-Tiers Monde (18th), Christian Democrat International (19th), Commission of the Churches on International Affairs of the World Council of Churches (20th), Commission for the Defence of Human Rights in Central America (20th), Indian Council of South America (21st), International Association against Torture (20th), International Federation of Human Rights (18th), International Federation of Rural Adult Catholic Movements (18th), International Humanist and Ethical Union (18th), International Immigrants Foundation, Inc. (20th), International Indian Treaty Council (21st), International Work Group for Indigenous Affairs (19th), Minority Rights Group (18th), Latin American Federation of Associations of Relatives of Disappeared Detainees (19th), Movement against Racism and for Friendship among Peoples (18th), Service, Peace and Justice in Latin America (21st), World Christian Life Community (20th), World Confederation of Labour (21st), World Federation of Trade Unions (21st).

7. The observer for Rwanda made a statement equivalent to the right of reply.

8. At its 42nd meeting, on 26 February 1993, the Commission postponed consideration of draft resolution E/CN.4/1993/L.26, sponsored by Afghanistan*, Algeria*, Bangladesh, Bhutan*, Burundi, Chile, China, Colombia, Cuba, the Democratic People's Republic of Korea*, Gabon, Gambia, Ghana*, Guatemala*, Guinea-Bissau, India, Indonesia, Iraq*, the Islamic Republic of Iran, Kenya, Lesotho, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Mexico, Mongolia*, Morocco*, Myanmar*, Nigeria, Pakistan, Peru, the Philippines*, Rwanda*, Singapore*, Sri Lanka, the Sudan, Swaziland*, the Syrian Arab Republic, Tunisia, the United Republic of Tanzania*, Venezuela, Viet Nam*, Yemen*, Zambia and Zimbabwe*.

9. At the 53rd meeting, on 4 March 1993, the representative of Indonesia introduced a revised draft resolution (E/CN.4/1993/26/Rev.1) sponsored by the same member and observer States as draft resolution E/CN.4/1993/26. Angola, Bahrein*, Cameroon*, Equatorial Guinea*, Jamaica*, Madagascar* and Senegal* subsequently joined sponsors.

10. Draft resolution E/CN.4/1993/26/Rev.1 contained the following revisions:

(a) The fourth preambular paragraph which read "Stressing the importance of the principle of non-selectivity, impartiality and objectivity in the field of human rights," was deleted;

(b) Operative paragraph 6 which read "Reiterates the principle of non-selectivity, impartiality and objectivity in the field of human rights" was deleted;

(c) The subsequent operative paragraphs were renumbered accordingly;

(d) In new operative paragraph 10, the word "governmental" between the words "composed of 15" and the word "experts" was deleted and the words "nominated by the Government" were inserted between the words "experts" and "to be appointed";

(e) Operative paragraph 15 which read "Requests the Economic and Social Council to include on the agenda of its substantive session of 1993, a separate item entitled 'The implementation of the right to development as a human right' and to request the General Assembly to include on the agenda of its forty-ninth session a separate item under the same title" was replaced by a new paragraph renumbered as operative paragraph 14.

11. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to an estimate of the administrative and programme budget implications 1/ of draft resolution E/CN.4/1993/L.26/Rev.1.

12. At the request of the representative of the United States of America a roll-call vote was taken on the draft resolution. The draft resolution was adopted by 36 votes to 1 with 13 abstentions. The voting was as follows:

In favour: Angola, Argentina, Australia, Bangladesh, Barbados, Brazil, Burundi, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, France, Gabon, Gambia, India, Indonesia, Iran (Islamic Republic of), Kenya, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mauritius, Mexico, Nigeria, Pakistan, Peru, Republic of Korea, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, Uruguay, Venezuela.

Against: United States of America.

Abstaining: Austria, Bulgaria, Canada, Czech Republic, Finland, Germany, Japan, Netherlands, Poland, Portugal, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland.

13. Statements in explanation of vote after the vote were made by the representatives of Australia, Austria, Canada, Finland, France, Japan, Poland, the Republic of Korea, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and Uruguay.

14. The representative of Zambia subsequently indicated that had he been present at the voting he would have voted in favour of the draft resolution.

15. For the text as adopted, see chapter II, section A, resolution 1993/22.
