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DRAFT REPORT OF THE COMMISSION

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* Documents E/CN.4/1995/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.4/1995/L.11 and addenda.

XIV. HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENT

1. The Commission considered agenda item 14 concurrently with agenda item 26 (see chap. XXVI) at its 59th meeting, on 7 March, and at its 62nd meeting, on 8 March 1995.

2. In relation to agenda item 14, the Commission had before it the following documents:

Report of the Secretary-General on human rights and bioethics
(E/CN.4/1995/74);

Report of the Secretary-General prepared pursuant to Commission decision 1993/113 on the question to the follow-up to the guidelines for the regulation of computerized personal data files (E/CN.4/1995/75).

3. At the 59th meeting, on 7 March 1995, in the general debate on agenda item 14, a statement was made by the observer for the World Health Organization.

4. The Commission also heard statements by the following non-governmental organizations: International Indian Treaty Council (59th), Sierra Club Legal Defense Fund (59th).

5. At its 61st meeting, on 8 March 1995, the Commission took up consideration of the draft resolutions submitted under agenda item 14.

6. At the same meeting, the observer for Kenya introduced draft resolution E/CN.4/1995/L.47, sponsored by Algeria, Angola, Bangladesh, Benin, Cameroon, Côte d'Ivoire, Cuba, Egypt, El Salvador, Equatorial Guinea*, Ethiopia, Gabon, the Gambia*, Ghana*, Guinea-Bissau, Iraq*, Kenya*, Liberia*, the Libyan Arab Jamahiriya*, Madagascar*, Mauritania, Morocco*, Nepal, Nicaragua, Nigeria*, Pakistan, Senegal*, Sudan, the Syrian Arab Republic*, Togo, Tunisia*, the United Republic of Tanzania*, Zaire*, Zambia* and Zimbabwe. Lebanon*, Malawi, Mauritius and Uruguay* subsequently joined the sponsors.

7. The observer for Kenya orally revised the draft resolution as follows:

(a) The sixth preambular paragraph, which read as follows:

"Recognizing that the illicit dumping of toxic and dangerous substances and wastes potentially constitutes a serious threat to the human rights to life and health of everyone," was deleted;

(b) In operative paragraph 3, the words "decision I/20" were replaced by the words "decision II/12".

(c) In operative paragraph 9, after the words "other issues related to the", the word "adverse" was inserted.

8. At the same meeting, the representative of France introduced draft amendments to draft resolution E/CN.4/1995/L.47, contained in document E/CN.4/1995/L.112, sponsored by Austria, Belgium*, Denmark*, Finland, France, Germany, Greece*, Ireland*, Italy, Luxembourg*, the Netherlands, Portugal*, Spain*, Sweden* and the United Kingdom of Great Britain and Northern Ireland. The amendments read as follows:

Operative paragraph 8

Delete completely and replace by

"Urges parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal to cooperate fully with each other and with the Secretariat in implementing measures to combat illegal traffic in hazardous products and wastes, pursuant to article 13 of the Convention and decision II/4 of the Second Conference of the Parties;"

9. Statements concerning the draft resolution and the draft amendments were made by the representatives of Algeria, Cameroon and Cuba and the Netherlands.

10. At the request of the representative of France a roll-call vote was taken on the draft amendments.

11. The draft amendments were rejected by 29 votes to 22, with 1 abstention. The voting was as follows:

In favour: Australia, Austria, Brazil, Bulgaria, Canada, Ecuador, Finland, France, Germany, Hungary, Italy, Japan, Malaysia, Mexico, Netherlands, Peru, Philippines, Poland, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, Angola, Bangladesh, Benin, Bhutan, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Dominican Republic, Egypt, El Salvador, Ethiopia, Gabon, India, Indonesia, Malawi, Mauritania, Mauritius, Nepal, Nicaragua, Pakistan, Sri Lanka, Sudan, Togo, Venezuela, Zimbabwe.

Abstaining: Republic of Korea.

12. At the request of the representative of Algeria, a roll-call vote was taken on the draft resolution, as orally revised.

13. The draft resolution was adopted by 31 votes to 15, with 6 abstentions.

The voting was as follows:

In favour: Algeria, Angola, Bangladesh, Benin, Bhutan, Brazil, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, India, Indonesia, Malawi, Mauritania, Mauritius, Nepal, Nicaragua, Pakistan, Sri Lanka, Sudan, Togo, Venezuela, Zimbabwe.

Against: Australia, Austria, Canada, Finland, France, Germany, Hungary, Italy, Japan, Netherlands, Poland, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Bulgaria, Malaysia, Mexico, Peru, Philippines, Republic of Korea.

14. Subsequently, the representative of Guinea-Bissau communicated to the Secretariat that, if he had been present at the time of the voting, he would have voted in favour of the draft resolution.

15. For the text as adopted, see chapter II, section A, resolution 1995/81.

16. At the 62nd meeting, on 8 March 1995, the representative of France introduced draft decision E/CN.4/1995/L.73.

17. The draft decision was adopted without a vote.

18. For the text as adopted, see chapter II, section B, decision 1995/114.

19. At the same meeting, the representative of France introduced draft resolution E/CN.4/1995/L.97, sponsored by Argentina*, Austria, Belgium*, Cameroon, the Czech Republic*, Denmark*, Finland, France, Germany, Poland, Romania and Senegal*. Greece* subsequently joined the sponsors.

20. The representative of France orally revised the draft resolution as follows: in operative paragraphs 2 and 4, after the words "respectueux des droits de l'homme" the words "et bénéfique à l'humanité toute entière" were inserted.

21. The draft resolution, as orally revised, was adopted without a vote.

22. For the text as adopted, see chapter II, section A, resolution 1995/82.
