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DRAFT PROVISIONAL AGENDA FOR THE FIFTY-FIFTH SESSION
OF THE COMMISSION

Note by the Secretary-General

The following draft provisional agenda for the fifty-fifth session of the Commission is submitted in accordance with the provisions of paragraph 3 of Economic and Social Council resolution 1894 (LVII) and includes an indication for each item of the documents to be prepared in implementation of the relevant Commission decisions. If necessary, the draft provisional agenda will be amended in the light of any decisions which the Commission may take after the preparation of this document.

* The advance version of this document was circulated informally on 24 April 1998. Following the adoption by the Commission, in its resolution 1998/84, of Chairman's proposal for the restructuring of the Commission's agenda (E/CN.4/1998/L.106), the document was adapted accordingly. The final text of the draft provisional agenda will be reproduced in chapter XXV of the report of the Commission on Human Rights on its fifty-fourth session (E/1998/23-E/CN.4/1998/175).

XXV. DRAFT PROVISIONAL AGENDA FOR THE FIFTY-FIFTH SESSION OF THE COMMISSION

1. Election of officers.
2. Adoption of the agenda.
3. Organization of the work of the session.

Legislative authority: relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Commission.

Documentation:

Report of the United Nations High Commissioner for Human Rights containing the analysis on the situation of human rights in Colombia (statement agreed on by consensus by the Commission, made by the Chairman on 9 April 1998).

4. Question of the violation of human rights in the occupied Arab territories, including Palestine.

Legislative authority: Commission resolutions 1993/2, 1998/1 and 1998/2.

Documentation:

- (a) Report of the Special Rapporteur (resolution 1993/2 A, para. 4);
- (b) Reports of the Secretary-General (resolution 1998/1, para. 10; resolution 1998/2, para. 6);
- (c) List of United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation (resolution 1998/1, para. 11).

5. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including:

- (a) Problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development;
- (b) The effects of the existing unjust international economic order on the economies of the developing countries, and the obstacle that this represents for the implementation of human rights and fundamental freedoms.

Legislative authority: Commission resolutions 1998/11, 1998/12, 1998/23, 1998/24, 1998/25, 1998/33 and decisions 1997/102, 1997/103 and 1998/102.

Documentation:

- (a) Report of the Secretary-General on the implications and negative effects of unilateral coercive measures (resolution 1998/11, para. 8 (b));
- (b) Report of the Special Rapporteur on the question of the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (resolution 1998/12, paras. 10-14);
- (c) Report of United Nations High Commissioner for Human Rights on the implementation of resolution 1998/23 on the right to food (resolution 1998/23, para. 8);
- (d) Analytical report of the Special Rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights (resolution 1998/24, para. 9);
- (e) Report of the Independent Expert on the question of human rights and extreme poverty (resolution 1998/25, para. 6 (d));
- (f) Report of the Special Rapporteur on the right to education (resolution 1998/33, para. 6 (a) (viii));
- (g) Report of the working group on structural adjustment programmes (decision 1998/102);
- (h) Report of the Independent Expert on structural adjustment policies (decisions 1997/103 and 1998/102);
- (i) Report of the Secretary-General on human rights and the environment (decision 1997/102).

6. Question of the realization of the right to development

Legislative authority: Commission resolution 1998/72.

Documentation:

- (a) Report of the United Nations High Commissioner for Human Rights (para. 11);
- (b) Report of the Secretary-General (para. 13).

7. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

Legislative authority: Commission resolutions 1998/4 and 1998/6.

Documentation:

- (a) Report of the Secretary-General (resolution 1998/4, para. 3);
- (b) Report of the Special Rapporteur on the use of mercenaries (resolution 1998/6, para. 12).

8. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

- (a) Torture and other cruel, inhuman or degrading treatment or punishment;
- (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- (c) Question of enforced or involuntary disappearances;
- (d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Legislative authority: Commission resolutions 1997/29, 1998/34, 1998/35, 1998/38, 1998/40, 1998/41, 1998/42, 1998/43 and 1998/73.

Documentation:

- (a) Report of the Secretary-General on the right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms (resolution 1997/29, para. 3);
- (b) Report of the working group on the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 1998/34, paras. 2 and 7);
- (c) Report of the Special Rapporteur on the independence of judges and lawyers (resolution 1998/35, para. 8);
- (d) Annual report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 1998/38, para. 18);
- (e) Report of the Special Rapporteur on the question of torture (resolution 1998/38, para. 30);
- (f) Report of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture (resolution 1998/38, para. 38);
- (g) Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (resolution 1998/38, para. 39);

- (h) Report of the Working Group on Enforced or Involuntary Disappearances (resolution 1998/40, paras. 2 (i) and 9);
- (i) Report of the Working Group on Arbitrary Detention (resolution 1998/41, para. 12);
- (j) Report of the Special Rapporteur on the right to freedom of opinion and expression (resolution 1998/42, para. 10);
- (k) Report of the Independent Expert entrusted with the preparation of a revised version of the draft basic principles and guidelines on the right to reparation for victims of gross violations of human rights (resolution 1998/43, para. 2).

9. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

- (a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;
- (b) National institutions for the promotion and protection of human rights;
- (c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights;
- (d) Human rights, mass exoduses and displaced persons.

Legislative authority: Commission resolutions 1997/33, 1997/34, 1997/41, 1997/44, 1998/7, 1998/44, 1998/45, 1998/46, 1998/47, 1998/48, 1998/50, 1998/51, 1998/53, 1998/54, 1998/74 and 1998/81.

Documentation:

- (a) Progress report of the Secretary-General on the follow-up to the resolution on HIV/AIDS (resolution 1997/33, para. 3);
- (b) Report of the Secretary-General on the state of regional arrangements for the promotion and protection of human rights (resolution 1997/34, para. 10);
- (c) Report of the Secretary-General on public information activities (resolution 1997/41, para. 13);
- (d) Report of the Secretary-General on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region (resolution 1998/44, para. 11);

- (e) Comprehensive report of the United Nations High Commissioner for Human Rights on the composition of the staff of the Office of the High Commissioner for Human Rights (resolution 1998/46, para. 10);
 - (f) Report of the Secretary-General on arbitrary deprivation of nationality (resolution 1998/48, para. 7);
 - (g) Report of the representative of the Secretary-General on internally displaced persons (resolution 1998/50, para. 6);
 - (h) Report of the Secretary-General on the question of integrating the human rights of women throughout the United Nations system (resolution 1998/51, paras. 5 and 14);
 - (i) Report of the Special Rapporteur on violence against women (resolution 1997/44, para. 14);
 - (j) Report of the Secretary-General on the issue of impunity (resolution 1998/53, para. 7);
 - (k) Report of the Secretary-General on national institutions for the promotion and protection of human rights (resolution 1998/55, paras. 12 and 17);
 - (l) List by the Secretary-General of all persons currently mandated to carry out the thematic and country procedures, including their country of origin (resolution 1998/74, para. 10 (b)).
10. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:
- (a) Question of human rights in Cyprus;
 - (b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided for in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII); report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990.

Legislative authority: Commission resolutions 1998/61, 1998/62, 1998/63, 1998/64, 1998/65, 1998/66, 1998/67, 1998/68, 1998/69, 1998/70, 1998/79, 1998/80, 1998/82 and decision 1998/109.

Documentation:

- (a) Report of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo (resolution 1998/61, para. 5 (c));
- (b) Report of the Secretary-General on the situation of human rights in southern Lebanon and West Bekaa (resolution 1998/62, para. 6 (b));

- (c) Report of the Special Rapporteur on the situation of human rights in Myanmar (resolution 1998/63, para. 5 (a));
- (d) Report of the Special Rapporteur on the situation of human rights in Nigeria (resolution 1998/64, para. 4 (a));
- (e) Report of the Special Rapporteur on the situation of human rights in Iraq (resolution 1998/65, para. 4 (a));
- (f) Report of the Secretary-General on reprisals against those cooperating with representatives of United Nations human rights bodies (resolution 1998/66, para. 6);
- (g) Report of the Special Rapporteur on the situation of human rights in the Sudan (resolution 1998/67, paras. 23-24);
- (h) Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (resolution 1998/68, para. 8 (a));
- (i) Report of the Special Representative on the situation of human rights in Rwanda (resolution 1998/69, para. 27);
- (j) Report of the United Nations High Commissioner for Human Rights on the work of the Human Rights Field Operation in Rwanda and on the implementation of resolution 1998/69 (resolution 1998/69, para. 29);
- (k) Report of the Special Rapporteur on the situation of human rights in Afghanistan (resolution 1998/70, para. 10);
- (l) Report of the Special Rapporteur on the situation of human rights in Equatorial Guinea (resolution 1998/71, para. 16);
- (m) Report of the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) (resolution 1998/79, para. 51);
- (n) Report of the Special Representative on the situation of human rights in the Islamic Republic of Iran (resolution 1998/80, para. 5 (a));
- (o) Report of the Secretary-General on the situation of human rights in East Timor (statement agreed on by consensus by the Commission, made by the Chairman on 24 April 1998);
- (p) Report of the Special Rapporteur on the situation of human rights in Burundi (resolution 1998/82, para. 26);
- (q) Report of the Secretary-General on the question of human rights in Cyprus (decision 1998/109).

11. Measures to improve the situation and ensure the human rights and dignity of all migrant workers.

Legislative authority: Commission resolutions 1998/15 and 1998/16.

Documentation:

- (a) Report of the Secretary-General (resolution 1998/15, para. 7);
- (b) Report of the working group of intergovernmental experts on the human rights of migrants (resolution 1998/16, para. 6).

12. Human rights and scientific and technological developments.

Legislative authority: Commission resolution 1997/71 and decision 1997/122.

Documentation:

- (a) Report of the Secretary-General on human rights and bioethics (resolution 1997/71, para. 7);
- (b) Report of the Secretary-General on the follow-up to the guidelines for the regulation of computerized personal data files (decision 1997/122).

13. Racism, racial discrimination, xenophobia and related intolerance.

Legislative authority: Commission resolutions 1995/11 and 1998/26.

Documentation:

- (a) Annual report of the Secretary-General (resolution 1995/11, para. 22);
- (b) Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (resolution 1998/26, para. 32);
- (c) Preliminary analytical study on the objectives of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance by the United Nations High Commissioner for Human Rights (resolution 1998/26, para. 55);
- (d) Compendium of references to publications and other works on the fight against racism by the United Nations High Commissioner for Human Rights (resolution 1998/26, para. 57);
- (e) Report of the Secretary-General (resolution 1998/26, para. 62).

14. Status of the International Covenants on Human Rights.

Legislative authority: Commission resolutions 1998/8 and 1998/9.

Documentation:

- (a) Yearly supplement on changes in law and practice concerning the death penalty by the Secretary-General (resolution 1998/8, para. 5);
- (b) Report of the Secretary-General on the status of the International Covenants on Human Rights (resolution 1998/9, para. 18).

15. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its fiftieth session.

Legislative authority: Commission resolutions 1997/20, 1998/28, 1998/29 and 1998/30 and decision 1998/105.

Documentation:

- (a) Updated report of the Secretary-General on the question of removal of organs and tissues of children and adults for commercial purposes (resolution 1997/20, para. 5 (a));
- (b) Report of the Chairman of the Sub-Commission (resolution 1998/28, para. 11);
- (c) Report of the Secretary-General on the question of minimum humanitarian standards (resolution 1998/29, para. 5);
- (d) Report of the Secretary-General on traffic in women and girls (resolution 1998/30, para. 10).

16. Rights of persons belonging to national or ethnic, religious and linguistic minorities.

Legislative authority: Commission resolution 1998/19.

Documentation:

Report of the Secretary-General (para. 14).

17. Advisory services in the field of human rights.

Legislative authority: Commission resolutions 1998/57, 1998/58, 1998/59 and 1998/60.

Documentation:

- (a) Annual report of the Secretary-General on technical cooperation in the field of human rights (resolution 1998/57, para. 14 (b));
- (b) Report of the Secretary-General on the implementation of the programme of technical cooperation in Haiti (resolution 1998/58, para. 8);

- (c) Report of the Independent Expert on the situation of human rights in Haiti (resolution 1998/58, para. 12);
- (d) Report of the Independent Expert on the situation of human rights in Somalia (resolution 1998/59, para. 5);
- (e) Report of the Special Representative of the Secretary-General on the situation of human rights in Cambodia (resolution 1998/60);
- (f) Report of the Secretary-General on the role of the Office of the High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights (resolution 1998/60, para. 23).

18. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Legislative authority: Commission resolution 1998/18.

Documentation:

Report of the Special Rapporteur (para. 14).

19. Rights of the child, including:

- (a) Status of the Convention on the Rights of the Child;
- (b) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography;
- (c) Programme of Action for the Elimination of the Exploitation of Child Labour;
- (d) Question of a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication.

Legislative authority: Commission resolutions 1993/79, 1998/75 and 1998/76.

Documentation:

- (a) Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the state of implementation of the Programme of Action for the Elimination of the Exploitation of Child Labour (resolution 1993/79, para. 8);
- (b) Report of the Secretary-General on the implementation of resolution 1998/75 (para. 11);

- (c) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography (resolution 1998/76, para. 8 (a));
- (d) Report of the working group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (resolution 1998/76, para. 9 (b));
- (e) Report of the working group on a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts (resolution 1998/76, para. 14 (c));
- (f) Report of the Secretary-General (resolution 1998/76, para. 23 (a));
- (g) Annual report of the Special Representative on the impact of armed conflict on children (General Assembly resolution 51/77, para. 37).

20. Follow-up to the World Conference on Human Rights.

Legislative authority: Commission resolutions 1997/69 and 1998/78.

Documentation:

Report of the United Nations High Commissioner for Human Rights on the comprehensive implementation of the Vienna Declaration and Programme of Action (resolution 1997/69, para. 14).

21. Indigenous issues.

Legislative authority: Commission resolutions 1998/13, 1998/14 and 1998/20.

Documentation:

- (a) Updated annual report of the High Commissioner for Human Rights on the International Decade of the World's Indigenous People (resolution 1998/13, para. 12);
- (b) Progress report of the working group on a draft declaration (resolution 1998/14, para. 6);
- (c) Report of the working group on proposals for the possible establishment of a permanent forum for indigenous people (resolution 1998/20, para. 6).

22. Draft provisional agenda for the fifty-sixth session of the Commission.

Legislative authority: Economic and Social Council
resolution 1894 (LVII).

Documentation:

Note by the Secretary-General containing the draft provisional agenda for the fifty-sixth session of the Commission, together with information concerning documentation relating thereto.

23. Report to the Economic and Social Council on the fifty-fifth session of the Commission.

Legislative authority: rule 38 of the rules of procedure of the functional commissions of the Economic and Social Council.
