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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Agenda item 14 (b)

DRAFT PROVISIONAL AGENDA FOR THE FIFTY-FIRST SESSION
OF THE SUB-COMMISSION

Note by the Secretary-General

The following draft provisional agenda for the fifty-first session of the Sub-Commission is submitted in accordance with 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 Sub-Commission decisions. If necessary, the draft provisional agenda will be amended in the light of any decisions which the Sub-Commission may take after the preparation of this document.

The text of the draft provisional agenda for the fifty-first session of the Sub-Commission reads as follows:

1. Organization of work:

- (a) Election of officers;
- (b) Adoption of the agenda;
- (c) Methods of work of the Sub-Commission.

Legislative authority: Commission on Human Rights resolution 1998/28; Sub-Commission resolution 1992/8 and decisions 1994/117, 1995/112, 1995/113, 1997/113 and 1998/108.

Documentation:

New revised working paper by Mr. Hatano relating to the methods of work of the Sub-Commission (decision 1998/108).

2. Question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other dependent countries and territories: report of the Sub-Commission under Commission on Human Rights resolution 8 (XXIII)

Legislative authority: Sub-Commission resolutions 1998/1, 1998/2, 1998/3 and 1998/4; Chairman's statement on the Bhutanese refugees agreed on by consensus by the Sub-Commission, made on 19 August 1998.

Documentation:

Report of the High Commissioner for Human Rights (resolution 1998/3, para. 5)

3. Comprehensive examination of thematic issues relating to the elimination of racial discrimination:

- (a) Situation of migrant workers and members of their families
- (b) Xenophobia.

Legislative authority: Sub-Commission resolutions 1994/4, 1998/5, 1998/6 and 1998/10 and decisions 1998/103 and 1998/104.

Documentation:

- (a) Preliminary report of the Special Rapporteur on the concept and practice of affirmative action (resolution 1998/5, para. 2);

- (b) Working paper by Mr. Pinheiro on proposals for the work of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (resolution 1998/6, para. 9);
- (c) Working paper by Mr. Weissbrodt on the rights of persons who are not citizens of the country in which they live (decision 1998/103);
- (d) Working paper by Mr. Oloka-Onyango on the topic of globalization in the context of the increase in incidents of racism, racial discrimination and xenophobia (decision 1998/104).

4. The realization of economic, social and cultural rights

- (a) The international economic order and the promotion of human rights;
- (b) The realization of the right to development;
- (c) The question of transnational corporations;
- (d) The realization of the right to education, including education in human rights.

Legislative authority: Sub-Commission resolutions 1989/1, 1996/22, 1998/7, 1998/8, 1998/9, 1998/11, 1998/12 and 1998/14 and decision 1998/106.

Documentation:

- (a) Preliminary report of the Special Rapporteur on the promotion of the realization of the right to drinking water supply and sanitation (resolution 1998/7, para. 3);
- (b) Report of the sessional working group on the working methods and activities of transnational corporations (resolution 1998/8, para. 5);
- (c) Detailed working paper by Mr. Mehedi on the right to education (resolution 1998/11, para. 3);
- (d) Working paper by ... on human rights as the primary objective of trade, investment and financial policy (resolution 1998/12, paras. 4 and 5);
- (e) Updated study on the right to food by Mr. Eide (decision 1998/106).

5. The implementation of human rights with regard to women
- (a) Traditional practices affecting the health of women and the girl child;
 - (b) The role and equal participation of women in development

Legislative authority: Sub-Commission resolutions 1998/16 and 1998/17.

Documentation:

- (a) Report of the Special Rapporteur on traditional practices affecting the health of women and the girl child (resolution 1998/16, para. 9);
- (b) Report of the Secretary-General (resolution 1998/17, para. 6).

6. Contemporary forms of slavery

Legislative authority: Economic and Social Council decisions 16 and 17 (LVI) and Sub-Commission resolutions 1989/41, 1998/18, 1998/19 and 1998/20.

Documentation:

- (a) Updated report of the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict (resolution 1998/18, para. 13);
- (b) Report of the Working Group on Contemporary Forms of Slavery on its twenty-fourth session (resolution 1998/19).

7. Human rights of indigenous peoples

- (a) Indigenous peoples and their relationship to land

Legislative authority: Economic and Social Council resolutions 1982/34 and 1989/77; Commission on Human Rights resolution 1998/13; Sub-Commission resolutions 1998/21 and 1998/23 and decision 1998/107.

Documentation:

- (a) Final working paper of the Special Rapporteur on indigenous land rights (resolution 1998/21, para. 3);
- (b) Report of the Working Group on Indigenous Populations on its seventeenth session (resolution 1998/23);

(c) Final report of the Special Rapporteur on the study on treaties, agreements and other constructive arrangements between States and indigenous populations (decision 1998/107).

8. Prevention of discrimination against and the protection of minorities

Legislative authority: Commission on Human Rights

resolutions 1995/24 and 1998/19; Sub-Commission resolutions 1994/4 and 1998/24.

Documentation:

Report of the Working Group on its fifth session (resolution 1998/24).

9. The administration of justice and human rights

(a) Question of human rights and states of emergency

(b) Application of international standards concerning the human rights of detained juveniles;

(c) Gross and massive violations of human rights as an international crime;

(d) Juvenile justice;

(e) Privatization of prisons;

(f) Individualization of prosecution and penalties, and repercussions of violations of human rights on families

Legislative authority: Sub-Commission decision 1998/110.

10. Freedom of movement:

(a) The right to leave any country, including one's own, and to return to one's own country, and the right to seek asylum from persecution;

(b) Human rights and population displacements

Legislative authority: Sub-Commission resolutions 1994/24 and 1998/26.

11. Situation regarding the promotion, full realization and protection of the rights of children and youth

12. Review of further developments in fields with which the Sub-Commission has been or may be concerned

(a) Review of developments concerning recommendations and decisions relating, inter alia, to:

(i) Promotion, protection and restoration of human rights at national, regional and international levels

- (ii) Encouragement of universal acceptance of human rights instruments and observance of the human rights and fundamental freedoms contained in the Universal Declaration of Human Rights by States which are not parties to United Nations human rights conventions;
- (b) Review of issues not previously the subject of studies but which the Sub-Commission had decided to examine
 - (i) Implications of humanitarian activities for the enjoyment of human rights;
 - (ii) Terrorism and human rights;
- (c) Human rights and disability;
- (d) Other new developments:
 - (i) Adverse consequences of the transfer of arms and illicit trafficking in arms on the enjoyment of human rights;
 - (ii) Arbitrary deprivation of nationality.

Legislative authority: Sub-Commission resolutions 1998/28, 1998/29 and 1998/30 and decisions 1998/111, 1998/112, 1998/113 and 1998/115.

Documentation:

- (a) Preliminary report by the Special Rapporteur on terrorism and human rights (resolution 1998/29, para. 1);
- (b) Working paper by Ms. Forero Ucross concerning a study on weapons of mass destruction or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering (decision 1998/111);
- (c) Working paper by Ms. Hampson on the question of reservations to human rights treaties (decision 1998/113);
- (d) Working paper by Mr. Kartashkin on observance of the human rights and fundamental freedoms contained in the Universal Declaration on Human Rights by States which are not parties to United Nations human rights conventions (decision 1998/115).

13. Communications concerning human rights: report of the Working Group on Communications established under Sub-Commission resolution 2 (XXIV) in accordance with Economic and Social Council resolution 1503 (XLVIII)

Legislative authority: Economic and Social Council

resolution 1503 (XLVIII) and Sub-Commission resolutions 1 (XXIV) and 2 (XXIV).

Documentation:

Confidential report of the Working Group and supporting papers.

14. Concluding items:

(a) Consideration of the future work of the Sub-Commission

(b) Draft provisional agenda for the fifty-second session of the Sub-Commission;

(c) Adoption of the report of the fifty-first session

Legislative authority: Economic and Social Council

resolution 1894 (LVII).

Documentation:

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