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Fifth special session
17-19 October 2000
Agenda item 4

**REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON
THE FIFTH SPECIAL SESSION OF THE COMMISSION**

DRAFT REPORT OF THE COMMISSION*

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Chapter

- III. ORGANIZATION OF THE WORK OF THE SESSION
- IV. LETTER DATED 3 OCTOBER 2000 FROM THE PERMANENT REPRESENTATIVE OF ALGERIA TO THE UNITED NATIONS OFFICE AT GENEVA ADDRESSED TO THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

* The present draft report contains chapter III (Organization of the work of the session) and part of chapter IV (Letter dated 3 October 2000 from the Permanent Representative of Algeria to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights). It describes the situation as at the end of the day on 18 October 2000. Any subsequent developments which affect the content of these chapters will be reflected in the final version of the report.

Details of action taken on draft proposal(s) will be contained in addendum 1 to the present document.

GE.00-15590 (E)

III. Organization of the work of the session

1. The Economic and Social Council, in its resolution 1990/48 of 25 May 1990, authorized the Commission on Human Rights to meet exceptionally between its regular sessions, provided that a majority of the members of the Commission so agreed.

2. The Economic and Social Council, by its decision 1993/286 of 28 July 1993, adopted at its substantive session the "Procedure for special sessions of the Commission on Human Rights".

3. By a letter dated 3 October 2000, addressed to the United Nations High Commissioner for Human Rights, the Permanent Representative of Algeria to the United Nations Office at Geneva, on behalf of the Council of Arab Permanent Representatives, Members of the League of Arab States, requested that a special session of the Commission be convened "to discuss the grave and massive violations of the human rights of the Palestinian people by the Israeli occupying Power".

4. Pursuant to Economic and Social Council decision 1993/286, the States members of the Commission were requested, by a note verbale dated 4 October 2000, to indicate their wishes in regard to the request of the Government of Algeria, with a view to ascertaining whether the majority of the members agreed to the holding of a special session. By the prescribed deadline, that is to say, by 6 p.m. (Geneva time) on 10 October 2000, the following States members of the Commission on Human Rights had indicated their agreement:

Argentina, Bangladesh, Bhutan, Brazil, Burundi, Chile, China, Colombia, Cuba, Czech Republic, Ecuador, El Salvador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Latvia, Luxembourg, Madagascar, Mauritius, Mexico, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of the Congo, Republic of Korea, Rwanda, Senegal, Spain, Sri Lanka, Sudan, Swaziland, Tunisia, United Kingdom of Great Britain and Northern Ireland, Venezuela, Zambia.

5. As the majority of the States members were in agreement, the United Nations High Commissioner for Human Rights convened the fifth special session of the Commission on 17 to 19 October 2000.

A. Opening and duration of the session

6. The Commission held its fifth special session at the United Nations Office at Geneva on 17 to 19 October 2000. It held ... meetings (E/CN.4/2000/S-5/SR.1-...) during the session.

7. The fifth special session was opened by Mr. Shambhu Ram Simkhada (Nepal), Chairperson of the Commission at its fifty-sixth session.

B. Attendance

8. The session was attended by representatives of States members of the Commission, by observers for other States Members of the United Nations, by observers for non-member States and Palestine and by observers for United Nations bodies and the specialized agencies, regional intergovernmental organizations, other entities and non-governmental organizations. An attendance list is given in annex II to the present report.

C. Election of officers

9. At its fifty-sixth session, the Commission had elected the following officers, who also served as officers for the fifth special session of the Commission:

<i>Chairperson:</i>	Mr. Shambhu Ram Simkhada (Nepal)
<i>Vice-Chairpersons:</i>	Mr. Ibrahim Mirghani Ibrahim (Sudan)
	Mr. Krzysztof Jakubowski (Poland)
	Mr. Víctor Rodríguez Cedeño (Venezuela)
<i>Rapporteur:</i>	Ms. Marie Gervais-Vidricaire (Canada)

D. Agenda

10. At its 1st meeting, the Commission had before it the provisional agenda of the fifth special session (E/CN.4/S-5/1 and Add.1), drawn up in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council.

11. The agenda was adopted without a vote. For the text, see annex I to the present report.

E. Organization of work

12. At its 1st meeting, the Commission considered the organization of its work.

13. The Commission accepted the recommendation of its officers regarding limitation of the frequency and duration of statements. Members of the Commission and all observers, including States, international organizations, other entities and non-governmental organizations, were limited to one statement of 10 minutes. In the case of joint statements by States or non-governmental organizations, more time, within reasonable limits, would be given to the speakers. If, after a collective statement exceeding 10 minutes, some States wished to take the floor again, they would be given half the time normally accorded. However, if a collective statement did not exceed 10 minutes, those States wishing to take the floor again could use the time normally allotted to them, that is, up to 10 minutes.

14. The Commission followed the practice established at its previous special sessions, whereby the requirement stipulated in rule 52 of the rules of procedure of the functional commissions of the Economic and Social Council that proposals and substantive amendments be discussed or put to the vote no earlier than 24 hours after copies had been circulated to all members, was waived.

15. The Commission also accepted the recommendation that, with regard to rights of reply, a limitation of two replies per delegation for the entire session, 5 minutes for the first and 3 minutes for the second, would be observed.

16. The Commission further accepted the recommendation that all other rules and practices of the Commission with regard to the conduct of business should continue to apply.

F. Resolution and documentation

17. The resolution adopted by the Commission at its fifth special session is reproduced in chapter II of the present report. A draft decision for action by the Economic and Social Council is set out in chapter I.

18. Annex III contains a statement regarding the administrative and programme budget implications of resolution 2000/S-5/... adopted by the Commission at its fifth special session.

19. Annex IV contains a list of documents issued for this session of the Commission.

IV. Letter dated 3 October 2000 from the Permanent Representative of Algeria to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights

20. The Commission considered agenda item 3 at its 1st to ... meetings, on 17, 18 and 19 October 2000.

21. At the 1st meeting, on 17 October 2000, Ms. Mary Robinson, United Nations High Commissioner for Human Rights, made a statement.

22. Also at the 1st meeting, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967, Mr. Giorgio Giacomelli, made a statement introducing his mission report (E/CN.4/S-5/ 3).

23. At the same meeting, the representative of Tunisia (on behalf of the League of Arab States) made a statement with regard to the request contained in the letter dated 3 October 2000 (E/CN.4/S-5/2).

24. In the general debate on item 3, statements were made by the following members of the Commission: Argentina (3rd), Bangladesh (1st), Botswana (3rd), Brazil (3rd), Canada (3rd),

Chile (3rd), China (1st), Cuba (1st), Ecuador (3rd), El Salvador (4th), France (on behalf of the European Union; Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey aligned themselves with the statement) (3rd), Guatemala (3rd), India (3rd), Indonesia (on behalf of the Group of Asian States) (1st), (on its own behalf) (2nd), Japan (2nd), Latvia (3rd), Morocco (3rd), Niger (3rd), Nigeria (on behalf of the Group of African States) (4th), Norway (4th), Pakistan (4th), Qatar (3rd), Republic of Korea (3rd), Russian Federation (4th), Senegal (1st), Sri Lanka (2nd), Sudan (3rd), Tunisia (3rd), United States of America (1st), Venezuela (on behalf of the Group of Latin American and Caribbean States) (3rd).

25. The Commission also heard statements by the following observers: Algeria (1st), Australia (2nd), Bahrain (3rd), Belize (4th), Brunei Darussalam (4th), Democratic People's Republic of Korea (4th), Egypt (2nd), Guinea (4th), Iraq (1st), Iran (Islamic Republic of) (3rd), Israel (1st, 2nd and 3rd), Jordan (3rd), Kuwait (1st), Lebanon (3rd), Libyan Arab Jamahiriya (3rd), Malaysia (on behalf of the Organization of the Islamic Conference) (1st), (on its own behalf) (4th), Mauritania (4th), New Zealand (4th), Oman (3rd), Saudi Arabia (1st), South Africa (4th), Syrian Arab Republic (1st), Turkey (3rd), United Arab Emirates (2nd), Viet Nam (4th), Yemen (3rd).

26. The observer for Palestine made statements (1st and 3rd).

27. The observers for the Holy See (3rd) and Switzerland (1st) also made statements.

28. Statements were made by the observers for the League of Arab States (4th) and the Organization of the Islamic Conference (3rd).

29. A statement was also made by the observer for the United Nations Children's Fund (4th).

30. Statements were made by representatives of the following non-governmental organizations: African Commission of Health and Human Rights Promoters (4th), Al-Haq, Law in the Service of Man (4th), American Jewish Committee (2nd), Amnesty International (2nd), Arab Organization for Human Rights (2nd), Association for World Education (2nd), Cairo Institute for Human Rights Studies (2nd), Commission of the Churches on International Affairs of the World Council of Churches (2nd), General Arab Women Federation (2nd), Habitat International Coalition (4th), Indian Movement "Tupaj Amaru" (4th), International Commission of Jurists (2nd), International Federation of Human Rights Leagues (2nd), International League for the Rights and Liberation of Peoples (4th), International Young Catholic Students (4th), MADRE, Inc. (2nd), North-South XXI (2nd), Union of Arab Jurists (2nd), War Resisters'

International (2nd), Women's International League for Peace and Freedom (2nd), World Jewish Congress (joint statement with International Association of Jewish Lawyers and Jurists) (2nd), World Federation of Democratic Youth (4th), World Organization against Torture (2nd), World Union for Progressive Judaism (4th).

31. Statements in exercise of the equivalent to the right of reply were made by the observers for Israel (4th) and Lebanon (4th).

[TO BE FINALIZED UPON COMPLETION OF THE SESSION]