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**REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON
THE FIFTY-SEVENTH SESSION OF THE COMMISSION**

Draft report of the Commission

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* Documents E/CN.4/2001/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.4/2001/L.11 and addenda.

**IX. QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD,
INCLUDING:**

- (a) Question of human rights in Cyprus;**
- (b) Procedure established in accordance with Economic and
Social Council resolutions 1503 (XLVIII) and 2000/3**

1. The Commission considered agenda item 9 and sub-item (a) at its 22nd to 24th meetings, on 29 March, at its 26th meeting, on 30 March, at its 28th to 31st meetings, on 2 April, at its 39th meeting, on 5 April, at its 43rd meeting, on 6 April, at its 44th meeting, on 9 April, at its 62nd and 63rd meetings, on 18 April, and at its 68th to 70th meetings, on 20 April 2001. Item 9 (b) was considered by the Commission in closed session (see paras. 101-104 below).

2. For the documents issued under agenda item 9, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.

3. At the 22nd meeting, on 29 March 2001, the following special rapporteurs introduced their reports:

(a) The Special Rapporteur on the situation of human rights in Afghanistan, Mr. Kamal Hossain (E/CN.4/2001/43 and Add.1);

(b) The Special Rapporteur on the situation of human rights in the Sudan, Mr. Gerhart Baum (E/CN.4/2001/48).

4. At the 23rd meeting, on 29 March 2001, the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, introduced her report on the situation in the Republic of Chechnya of the Russian Federation (E/CN.4/2001/36).

5. Also at the 23rd meeting:

(a) The Special Representative of the Commission on the situation of human rights in the Islamic Republic of Iran, Mr. Maurice Copithorne, introduced his report (E/CN.4/2001/39);

(b) 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), Mr. Jiri Dienstbier, introduced his report (E/CN.4/2001/47 and Add.1);

(c) The Special Rapporteur on the situation of human rights in Burundi, Ms. Marie-Thérèse Kéita-Bocoum, introduced her report (E/CN.4/2001/44);

(d) The Special Representative of the Commission on the situation of human rights in Rwanda, Mr. Michel Moussalli, introduced his report (E/CN.4/2001/45 and Add.1 and Corr.1);

- (e) The Special Rapporteur on the situation of human rights in Iraq, Mr. Andreas Mavrommatis, introduced his report (E/CN.4/2001/42).
6. At the 28th meeting, on 2 April 2001, the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garretón, introduced his report (E/CN.4/2001/40 and Add.1). At the 29th meeting, on the same day, the Special Rapporteur made his concluding remarks.
7. At the 29th meeting, on 2 April 2001, the Special Representative of the Commission on the situation of human rights in Equatorial Guinea, Mr. Gustavo Gallón, introduced his report (E/CN.4/2001/38).
8. At the 39th meeting, on 5 April 2001, Mr. Sergio Vieira de Mello, Special Representative of the Secretary-General to East Timor and Transnational Administrator, made a statement.
9. At the 43rd meeting, on 6 April 2001, Mr. Paulo Sérgio Pinheiro, Special Rapporteur on the situation of human rights in Myanmar, made a statement.
10. In the general debate on agenda item 9, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Human rights situation of the Lebanese detainees in Israel

11. At the 62nd meeting, on 18 April 2001, the representative of Saudi Arabia introduced draft resolution E/CN.4/2001/L.2/Rev.1, sponsored by Algeria, Bahrain, Cuba, Egypt, Indonesia, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Tunisia, Viet Nam and Yemen. The Syrian Arab Republic and the United Arab Emirates subsequently joined the sponsors.
12. Statements in connection with the draft resolution were made by the observers for Israel and Lebanon.
13. Statements in explanation of vote before the vote were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia, Poland and Romania, aligned themselves with the statement), the Republic of Korea and the United States of America.

14. At the request of the representative of the United States of America, a roll-call vote was taken on the draft resolution, which was adopted by 33 votes to 1, with 19 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Brazil, Burundi, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Venezuela Viet Nam, Zambia.

Against: United States of America.

Abstaining: Belgium, Cameroon, Canada, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Liberia, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland.

15. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/10.

Situation of human rights in China

16. Also at the 62nd meeting, the representative of the United States of America introduced draft resolution E/CN.4/2001/L.13, sponsored by the United States of America. The draft resolution read as follows:

“Situation of human rights in China

“*The Commission on Human Rights,*

“*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights and other human rights instruments to which they are a party,

“*Mindful* that China is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention relating to the Status of Refugees and its Protocol,

“*Recognizing* the significant transformation that Chinese society has undergone since the introduction of the reform policies, including the reduction of government interference in the everyday lives of most citizens, and the successful efforts of the Government of China in economic development and in reducing the numbers of Chinese living in extreme poverty, thus enhancing the enjoyment of economic and social rights,

“*Taking note* of the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (E/CN.4/2001/9 and Add.1), the report of the Special Rapporteur on the question of torture (E/CN.4/2001/66), the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/2001/68) and the associated note by the secretariat on the question of enforced or involuntary disappearances (E/CN.4/2001/69), and the report of and the opinions adopted by the Working Group on Arbitrary Detention (E/CN.4/2001/14 and Add.1),

“1. *Welcomes:*

“(a) The readiness of the Government of China to exchange information on human rights issues and engage in various cooperative activities in the area of human rights;

“(b) Continued efforts to increase the transparency of the judicial system and respect for the rule of law;

“(c) China’s continued expressed intent to proceed promptly with ratification of the International Covenant on Civil and Political Rights;

“(d) Continuing efforts at poverty alleviation and economic development that have improved economic and social rights for many Chinese citizens;

“2. *Expresses its concern:*

“(a) At continuing reports of failure to protect internationally recognized human rights and fundamental freedoms in China and, in particular, at severe restrictions on the rights of citizens to the freedoms of assembly, association, expression, conscience and religion, and due legal process and a fair trial, as well as at reports of harsh sentences for some seeking to exercise their rights;

“(b) At increased restrictions on the exercise of cultural, linguistic, religious and other fundamental freedoms of Tibetans and others;

“(c) At the continuing arrests and harsh sentencing during the past year of members of the China Democracy Party and others who sought to exercise their internationally recognized rights of association, expression and participation in political life;

“(d) At the severe measures taken to restrict the peaceful activities of Buddhists, Muslims, Christians and others who sought to exercise their internationally recognized rights of freedom of religion or belief or conscience and of peaceful assembly;

“(e) At the increasingly severe measures taken against adherents of movements such as Falun Gong who, in pursuing non-violent activities, sought to exercise their internationally recognized rights of freedom of conscience, belief and peaceful assembly;

3. *Calls upon* the Government of China:

“(a) To ensure the observance of all human rights, including workers’ rights, in accordance with its obligations under the human rights conventions to which it is a party and as a member of the International Labour Organization, and to ratify in the near future the International Covenant on Civil and Political Rights;

“(b) To take further measures to improve the impartial administration of justice and the rule of law;

“(c) To accelerate efforts to reform, with a view to rapid elimination, the re-education through labour system and forced labour;

“(d) To release political prisoners, including persons imprisoned for the non-violent expression of their political, religious or social views;

“(e) To permit the peaceful activities of Buddhists, Muslims, Christians and others who seek to exercise their internationally recognized rights of freedom of religion or belief or conscience and of peaceful assembly;

“(f) To preserve and protect the distinct cultural, ethnic, linguistic and religious identity of Tibetans and others;

“(g) To develop, with countries or regional groupings that seek them, productive bilateral dialogues and related technical assistance programmes, with the involvement of relevant experts, with a view to reaching further positive developments before the next session of the Commission;

“(h) To cooperate with all thematic special rapporteurs and working groups of the Commission and to give consideration to their recommendations;

“4. *Decides* to continue its consideration of the situation of human rights in China at its fifty-eighth session.”

17. A statement in connection with the draft resolution was made by the representative of China.

18. Under rule 65, paragraph 2, of the rules of procedure of the functional commissions of the Economic and Social Council, the representative of China moved that the Commission take no decision on the draft resolution.

19. Statements in connection with that motion were made by the representatives of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission on Human Rights - the Czech Republic, Latvia and Poland, aligned themselves with the statement), Cuba, Indonesia, the Libyan Arab Jamahiriya, Pakistan, the Russian Federation, the Syrian Arab Republic and the United States of America.

20. A statement in explanation of vote before the vote on the motion was made by the representative of Canada.

21. At the request of the representative of China, a roll-call vote was taken on the motion, which was carried by 23 votes to 17, with 12 abstentions. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Cuba, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.

Against: Belgium, Canada, Costa Rica, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Norway, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Colombia, Ecuador, Mauritius, Mexico, Peru, Republic of Korea, Senegal, South Africa, Swaziland, Uruguay.

22. At the 63rd meeting, on 18 April 2001, a statement in explanation of vote after the vote was made by the representative of Algeria.

Cooperation with representatives of United Nations human rights bodies

23. At the 63rd meeting, on 18 April 2001, the observer for Hungary introduced draft resolution E/CN.4/2001/L.14, sponsored by Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Finland, Georgia, Haiti, Hungary, Iceland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, the Republic of Korea, Romania, Senegal, Slovakia, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Cameroon, France, Equatorial Guinea, Denmark, the Dominican Republic, Germany, Guatemala, Honduras, Ireland, Liechtenstein, Nepal, Portugal, Sweden, The former Yugoslav Republic of Macedonia, Turkey and Uruguay subsequently joined the sponsors.

24. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/11.

The situation of human rights in parts of south-eastern Europe

25. Also at the 63rd meeting, the representative of the United States of America introduced draft resolution E/CN.4/2001/L.17, sponsored by Albania, Austria, Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kenya, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Cyprus, the Czech Republic, France, Japan, New Zealand, Norway, Pakistan, Switzerland and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

26. A statement in connection with the draft resolution was made by the observer for the Yugoslavia.

27. 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 the estimated administrative and programme budget implications of the draft resolution.

28. Statements in explanation of vote before the vote were made by the representatives of China and the Russian Federation.

29. At the request of the representative of the Russian Federation, a roll-call vote was taken on the draft resolution, which was adopted by 41 votes to none, with 11 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Belgium, Brazil, Burundi, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala,

Indonesia, Italy, Japan, Kenya, Latvia, Liberia, Malaysia, Mauritius, Mexico, Niger, Norway, Pakistan, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, Thailand, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela.

Against: None.

Abstaining: Cameroon, China, Cuba, India, Libyan Arab Jamahiriya, Madagascar, Nigeria, Russian Federation, Syrian Arab Republic, Viet Nam, Zambia.

30. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/12.

Situation of human rights in Afghanistan

31. Also at the 63rd meeting, the Chairperson introduced draft resolution E/CN.4/2001/L.18.

32. Statements in connection with the draft resolution were made by the representative of Pakistan, and the observer for Afghanistan.

33. 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 the estimated administrative and programme budget implications of the draft resolution.

34. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/13.

Situation of human rights in Iraq

35. Also at the 63rd meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.19, sponsored by Australia, Austria, Belgium, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Bulgaria, Italy and Japan subsequently joined the sponsors.

36. Statements in connection with the draft resolution were made by the observers for Iraq and Kuwait.

37. 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 the estimated administrative and programme budget implications of the draft resolution.

38. Statements in explanation of vote before the vote were made by the representatives of Algeria, the Libyan Arab Jamahiriya, the Russian Federation and Thailand.

39. At the request of the representatives of the Libyan Arab Jamahiriya and the Russian Federation, a roll-call vote was taken on the draft resolution, which was adopted by 30 votes to 3, with 19 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Italy, Japan, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Saudi Arabia, Senegal, South Africa, Spain, Swaziland, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America.

Against: Algeria, Libyan Arab Jamahiriya, Nigeria.

Abstaining: Burundi, Cameroon, China, Cuba, Democratic Republic of the Congo, India, Indonesia, Kenya, Madagascar, Malaysia, Niger, Pakistan, Qatar, Russian Federation, Syrian Arab Republic, Thailand, Venezuela, Viet Nam, Zambia.

40. Statements in explanation of vote after the vote were made by the representatives of Indonesia, Pakistan, Qatar and the Syrian Arab Republic.

41. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/14.

Situation of human rights in Myanmar

42. Also at the 63rd meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.20, sponsored by Albania, Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom of Great Britain and Northern Ireland. Italy, Liechtenstein, the Republic of Korea and the United States of America subsequently joined the sponsors.

43. Statements in connection with the draft resolution were made by the representative of the United States of America and the observer for Myanmar.

44. 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 the estimated administrative and programme budget implications of the draft resolution.

45. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/15.

Situation of human rights in Cuba

46. Also at the 63rd meeting, the representative of the Czech Republic introduced draft resolution E/CN.4/2001/L.21, sponsored by Albania, Bulgaria, the Czech Republic, Denmark, Germany, Hungary, Iceland, Israel, Latvia, Lithuania, the Netherlands, Nicaragua, Poland, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Australia, Canada, Finland, Japan, Slovakia and Switzerland subsequently joined the sponsors.

47. The representative of the Czech Republic orally proposed to revise the draft resolution by replacing the eighth preambular paragraph of the draft resolution by a new text.

48. Statements in connection with the draft resolution were made by the representatives of Algeria, Belgium (on behalf of the European Union), China, Costa Rica, Cuba and the Libyan Arab Jamahiriya.

49. Statements in explanation of vote before the vote were made by the representatives of the Russian Federation, Thailand and Venezuela.

50. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was adopted by 22 votes to 20, with 10 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Cameroon, Canada, Costa Rica, Czech Republic, France, Germany, Guatemala, Italy, Japan, Latvia, Madagascar, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America.

Against: Algeria, Burundi, China, Cuba, India, Indonesia, Liberia, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, South Africa, Swaziland, Syrian Arab Republic, Venezuela, Viet Nam, Zambia.

Abstaining: Brazil, Colombia, Ecuador, Kenya, Mauritius, Mexico, Niger, Peru, Senegal, Thailand.

51. Statements in explanation of vote after the vote were made by the representatives of Argentina, Mexico, Romania and Uruguay.

52. At the 70th meeting, on 20 April 2001, statements were made by the representatives of Costa Rica and Cuba.

53. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/16.

Situation of human rights in the Islamic Republic of Iran

54. At the 68th meeting, on 20 April 2001, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.22, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Czech Republic, New Zealand and Slovenia subsequently joined the sponsors.

55. Statements in connection with the draft resolution were made by the representatives of Algeria, China, Cuba, Indonesia, the Libyan Arab Jamahiriya, Pakistan (on behalf of the Organization of the Islamic Conference) and Thailand, and the observer for the Islamic Republic of Iran.

56. 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 the estimated administrative and programme budget implications of the draft resolution.

57. A statement in explanation of vote before the vote was made by the representative of Venezuela.

58. At the request of the representative of Pakistan, a roll-call vote was taken on the draft resolution, which was adopted by 21 votes to 17, with 15 abstentions. The voting was as follows:

In favour: Belgium, Canada, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Italy, Japan, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Algeria, China, Cuba, India, Indonesia, Liberia, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, Syrian Arab Republic, Venezuela, Viet Nam.

Abstaining: Argentina, Brazil, Burundi, Cameroon, Colombia, Democratic Republic of the Congo, Kenya, Madagascar, Niger, Republic of Korea, South Africa, Swaziland, Thailand, Uruguay, Zambia.

59. Statements in explanation of vote after the vote were made by the representatives of Brazil, Japan and Mexico.

60. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/17.

Situation of human rights in the Sudan

61. Also at the 68th meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.25, sponsored by Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Albania, Japan and New Zealand subsequently joined the sponsors.

62. Statements in connection with the draft resolution were made by the representative of Pakistan (on behalf of the Organization of the Islamic Conference) and the observer for the Sudan.

63. 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 the estimated administrative and programme budget implications of the draft resolution.

64. Statements in explanation of vote before the vote were made by the representatives of China, Norway, the Libyan Arab Jamahiriya and the United States of America.

65. The representative of the United States of America requested a vote. At the request of the representative of China, a roll-call vote was taken on the draft resolution, which was adopted by 28 votes to none, with 25 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Brazil, Canada, Colombia, Costa Rica, Czech Republic, Ecuador, France, Germany, Guatemala, Italy, Japan, Latvia, Mauritius, Mexico, Norway, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: None.

Abstaining: Algeria, Burundi, Cameroon, China, Cuba, Democratic Republic of the Congo, India, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Niger, Nigeria, Pakistan, Qatar, Saudi Arabia, Senegal, Swaziland, Syrian Arab Republic, Thailand, United States of America, Viet Nam, Zambia.

66. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/18.

Situation of human rights in the Democratic Republic of the Congo

67. Also at the 68th meeting, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.26, sponsored by Austria, Belgium, Bulgaria, Canada, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Australia, Japan, Turkey and the United States of America subsequently joined the sponsors.

68. The observer for Sweden orally revised the draft resolution by adding a new preambular paragraph after the eighth preambular paragraph and a new paragraph after operative paragraph 2 (b) (vii). Operative paragraphs 2 (b) (i) and 2 (b) (iv) and 4 (i) of the draft resolution were also revised.

69. Statements in connection with the draft resolution were made by the representatives of Burundi, the Democratic Republic of the Congo and Kenya.

70. 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 the estimated administrative and programme budget implications of the draft resolution.

71. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/19.

Situation of human rights in East Timor

72. Also at the 68th meeting, the Chairperson, on behalf of the Commission, made a statement concerning the situation of human rights in East Timor. For the text, see paragraph 105 below.

73. After the adoption of the Chairperson's statement, at the 70th meeting, on 20 April 2001, the representative of the United States of America made a statement in explanation of his delegation's position.

Situation of human rights in Sierra Leone

74. At the 69th meeting, on 20 April 2001, the representative of Canada introduced draft resolution E/CN.4/2001/L.27, sponsored by Albania, Australia, Austria, Belgium, Canada, Denmark, Germany, Iceland, Ireland, Italy, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Portugal, Romania, Sierra Leone, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Finland, France, Greece, Japan and Poland subsequently joined the sponsors.

75. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/20.

Situation of human rights in Burundi

76. Also at the 69th meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.28, sponsored by Kenya (on behalf of the Group of African States). The United States of America subsequently joined the sponsors.

77. A statement in connection with the draft resolution was made by the representative of Burundi.

78. 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 the estimated administrative and programme budget implications of the draft resolution.

79. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/21.

Situation in Equatorial Guinea and assistance in the field of human rights

80. Also at the 69th meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.29, sponsored by Kenya (on behalf of the Group of African States). The United States of America subsequently joined the sponsors.

81. Statements in connection with the draft resolution were made by the representatives of Algeria, Belgium (on behalf of the European Union), Cuba, Guatemala, Kenya, the Libyan Arab Jamahiriya, Mexico and Portugal and the observer for Equatorial Guinea.

82. At the proposal of the Chairperson, paragraph 1 of the draft resolution was orally amended.

83. 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 the estimated administrative and programme budget implications of the draft resolution.

84. The draft resolution, as orally amended, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2001/22.

Situation of human rights in Rwanda

85. Also at the 69th meeting, the representative of Kenya introduced draft resolution E/CN.4/2001/L.32, sponsored by Kenya (on behalf of the Group of African States).

86. The representative of Canada introduced proposed amendments (E/CN.4/2001/L.58) to draft resolution E/CN.4/2001/L.32, sponsored by Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America. New Zealand and Switzerland subsequently joined the sponsors of the proposed amendments. The proposed amendments (E/CN.4/2001/L.58) to draft resolution E/CN.4/2001/L.32 read as follows:

“Amendments to draft resolution E/CN.4/2001/L.32 entitled ‘The situation of human rights in Rwanda’

“1. Insert new preambular paragraph 3 *bis*:

Reaffirming that the promotion and protection of human rights and equal opportunities for the participation of all political parties are necessary for sustaining the process of national reconstruction and reconciliation in Rwanda,

“2. Insert new preambular paragraph 3 *ter*:

Taking into account the regional dimension of the human rights issues in the Great Lakes region, while underlining the primary responsibilities of States for the promotion and protection of human rights,

“3. Insert new preambular paragraph 3 *quater*:

Concerned at the human rights situation in neighbouring regions and reminding the Government of Rwanda of its responsibility and accountability for upholding respect for human rights by their own forces as well as by the armed forces under their control,

“4. Insert new operative paragraph 2 *bis*:

Reaffirms that all persons who committed or authorized acts of genocide or other grave violations of human rights and international humanitarian law are individually responsible and accountable for those violations,

“5. Insert new operative paragraph 2 *ter*:

Expresses concern that most of the perpetrators of the genocide and other gross violations of human rights continue to evade justice,

“6. Insert new operative paragraph 2 *quater*:

Reiterates its request that all States cooperate fully with the Government of Rwanda and the International Tribunal for Rwanda in ensuring that all those responsible for the crime of genocide, crimes against humanity and other grave violations of human rights are brought to justice in accordance with international principles of due process, and expresses its appreciation to the States which have already cooperated in prosecutions and in implementing the relevant Security Council resolution in this regard,

“7. Insert new operative paragraph 2 *quinter*:

Notes the indications of improvement in the human rights situation in Rwanda since the previous session of the Commission, expresses concern at continued violations of human rights and international humanitarian law and urges the Government of Rwanda to continue to investigate and prosecute such violations,

“8. Insert new operative paragraph 2 *sexter*:

Emphasizes that the promotion and protection of human rights for all are essential for achieving stability and security in the Great Lakes region,

“9. Insert new operative paragraph 3 *bis*:

Notes that the Government of Rwanda is regrouping scattered rural populations in the country, including in the north-west, urges the Government to respect human rights principles and not to use any elements of coercion in the implementation of the resettlement programme, deplors the fact that these sites are still lacking basic infrastructure and services and that a number of former internally displaced persons still have no adequate shelter, and urges renewed efforts in responding to these needs,

“10. Insert new operative paragraph 3 *ter*:

Reiterates its concern at the conditions of detention in many communal detention centres and some prisons in Rwanda, calls upon the Government of Rwanda to continue

in its efforts to ensure that persons in detention are treated in a manner which respects their human rights and basic human needs, deplores the appalling conditions prevailing in the cachots and emphasizes the necessity of allocating a specific budget to the cachots, and again urges the international community to assist the Government of Rwanda to meet the basic human needs of all prisoners, whether in prisons or in cachots, commends the work of the World Food Programme and the International Committee of the Red Cross in this regard and urges them to review their plans to terminate their food assistance programmes,

“11. Insert new operative paragraph 3 *quater*:

Encourages the continuing efforts of the Government of Rwanda to reduce the prison population by releasing minors, elderly prisoners, prisoners suffering from terminal illness and suspects with incomplete files who were detained for their alleged involvement in genocide and other abuses of human rights, urges the Government of Rwanda to accelerate these efforts and reaffirms the urgent need to complete a dossier for every detainee with a view to identifying those who should be released immediately, early or conditionally, while expressing concern at the high number of detainees still awaiting trial,

“12. Replace operative paragraph 5 with the following new paragraph:

Commends the Special Representative for his work, decides to extend his mandate for a further year, requests him to report to the General Assembly at its fifty-sixth session and to the Commission on Human Rights at its fifty-eighth session, in accordance with his mandate, and requests the High Commissioner to provide him with such financial assistance as he may require,

“13. Replace operative paragraph 6 with the following new paragraph:

Decides to consider the question of the situation of human rights in Rwanda at its fifty-eighth session under the same agenda item,

“14. Replace operative paragraph 7 with the following new paragraph:

Recommends the following draft decision to the Economic and Social Council for adoption:

The Economic and Social Council, taking note of Commission on Human Rights resolution 2001/... of ... April 2001, endorses the Commission's decision to extend for a further year the mandate of the Special Representative of the

Commission on the situation of human rights in Rwanda, to make recommendations on the situation of human rights in Rwanda, to facilitate the effective and independent functioning of the National Human Rights Commission and to make recommendations on situations in which technical assistance to the Government of Rwanda in the field of human rights may be appropriate.”

87. The representative of Canada proposed to delete all the paragraphs of the proposed amendments (E/CN.4/2001/L.58) to draft resolution E/CN.4/2001/L.32 except for paragraphs 7, 12, 13 and 14, and to revise paragraph 13.

88. Statements in connection with the proposed amendments were made by the representatives of Algeria, Belgium (on behalf of the European Union), Canada, China, Cuba, Kenya, Pakistan and the United Kingdom of Great Britain and Northern Ireland.

89. The representative of Pakistan made a procedural proposal, according to which document E/CN.4/2001/L.58 should be considered as new proposals, not amendments to draft resolution E/CN.4/2001/L.32. At the request of the representative of Canada, a roll-call vote was taken on the proposal of the representative of Pakistan, which was carried by 30 votes to 22, with 1 abstention. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Colombia, Cuba, Democratic Republic of the Congo, Guatemala, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritius, Mexico, Niger, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Viet Nam, Zambia.

Against: Argentina, Belgium, Brazil, Canada, Costa Rica, Czech Republic, Ecuador, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, Uruguay, United States of America, Venezuela.

Abstaining: India.

90. Statements in connection with draft resolution E/CN.4/2001/L.32 were made by the representatives of Algeria, Burundi, Canada, Guatemala and Mexico, and the observer for Rwanda.

91. A statement in explanation of vote before the vote was made by the representative of Belgium (on behalf of States members of the European Union that are members of the Commission on Human Rights - France, Germany, Italy, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland).

92. At the request of the representative of Canada, a roll-call vote was taken on draft resolution E/CN.4/2001/L.32, which was adopted by 28 votes to 16, with 9 abstentions. The voting was as follows:

In favour: Algeria, Burundi, Cameroon, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Guatemala, Indonesia, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Mauritius, Niger, Nigeria, Pakistan, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Swaziland, Syrian Arab Republic, Thailand, Viet Nam, Zambia.

Against: Argentina, Belgium, Canada, Czech Republic, France, Germany, Italy, Japan, Latvia, Norway, Poland, Portugal, Republic of Korea, Romania, Spain, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Brazil, Ecuador, India, Malaysia, Mexico, Peru, Uruguay, United States of America, Venezuela.

93. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/23.

Situation in the Republic of Chechnya of the Russian Federation

94. At the 70th meeting, on 20 April 2001, the observer for Sweden (on behalf of the European Union) introduced draft resolution E/CN.4/2001/L.24, sponsored by Canada, Iceland, Liechtenstein, New Zealand, Norway, Sweden and Switzerland. Australia, Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America subsequently joined the sponsors.

95. The representative of Sweden orally revised the draft resolution by adding a new preambular paragraph after the twelfth preambular paragraph.

96. Statements in connection with the draft resolution were made by the representatives of Pakistan and the Russian Federation.

97. 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 the estimated administrative and programme budget implications of the draft resolution.

98. Statements in explanation of vote before the vote were made by the representatives of Algeria, Cuba, China, India and the Libyan Arab Jamahiriya.

99. At the request of the representative of the Russian Federation, a roll-call vote was taken on the draft resolution, which was adopted by 22 votes to 12, with 19 abstentions. The voting was as follows:

In favour: Belgium, Canada, Czech Republic, France, Germany, Guatemala, Italy, Latvia, Mauritius, Mexico, Niger, Norway, Pakistan, Poland, Portugal, Qatar, Romania, Saudi Arabia, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Burundi, China, Cuba, India, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Nigeria, Russian Federation, Venezuela, Viet Nam.

Abstaining: Algeria, Argentina, Brazil, Cameroon, Colombia, Costa Rica, Democratic Republic of the Congo, Ecuador, Indonesia, Japan, Malaysia, Peru, Republic of Korea, Senegal, Swaziland, Syrian Arab Republic, Thailand, Uruguay, Zambia.

100. Statements in explanation of vote after the vote were made by the representatives of Indonesia, the Syrian Arab Republic and Venezuela.

101. For the text of the resolution as adopted, see chapter II, section A, resolution 2001/24.

(a) Question of human rights in Cyprus

102. At the 69th meeting, on 20 April 2001, the Chairperson introduced a draft decision on the question of human rights in Cyprus.

103. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2001/102.

(b) Procedure established in accordance with Economic and Social Council resolutions 1503 (XLVIII) and 2000/3

104. The Commission considered agenda item 9 (b) in two separate closed sessions pursuant to paragraph 7 of Economic and Social Council resolution 2000/3 at its 18th, 20th (closed part) and 27th meetings, on 28 March and 30 March 2001. It had before it for consideration the situation of human rights in Maldives, the Republic of the Congo, Togo and Uganda, as publicly

announced by the Chairperson. The Chairperson also announced that the Commission had decided to discontinue consideration of the situation of human rights in Maldives, the Republic of the Congo and Uganda.

105. The Chairperson reminded the members of the Commission that, in conformity with paragraph 9 of Economic and Social Council resolution 2000/3, they should not make any reference in public debate to the confidential decisions taken under that resolution or to any confidential material relating thereto.

106. The Chairperson also stated publicly, at the request of the Working Group on Situations, that the Working Group had noted that there had been no replies from several of the Governments concerned when the Working Group on Communications took its decisions in August 2000. The Working Group on Situations, therefore, wished to underline the importance of Governments replying at all stages of the 1503 procedure, namely to the Working Group on Communications, the Working Group on Situations and the Commission on Human Rights, and considered the timely submission of replies to be essential to its functioning and effectiveness.

107. In accordance with rule 21 of the rules of procedure of the functional commissions of the Economic and Social Council, and after consultations with the regional groups, the Chairperson would designate five members of the Commission to serve in their personal capacity on the Working Group on Situations, which would meet prior to the fifty-eighth session of the Commission in 2001.

Chairperson's statement

108. During consideration of agenda item 9, the Chairperson made one statement, the text of which reads as follows:

“Situation of human rights in East Timor

“The Commission recalls the Chairperson's statements on the situation in East Timor issued at previous sessions, in particular the statement adopted at its fifty-sixth session (E/2000/23-E/CN.4/2000/167, para. 213), and takes note of the interim report of the United Nations High Commissioner for Human Rights to the General Assembly at its fifty-fifth session (A/55/36), the report of the High Commissioner to the Commission at its fifty-seventh session (E/CN.4/2001/37 and Corr.1), the report of the Secretary-General to the Security Council of 16 January 2001 (S/2001/42) and the letter dated 18 February 2000 from the President of the Security Council addressed to the Secretary-General (A/2000/137).

“The Commission acknowledges relevant Security Council and other United Nations resolutions.

“The Commission welcomes the encouraging improvements of the judicial system in East Timor and the first measures that have been taken against suspects accused of crimes against humanity and other serious crimes committed during the violence in 1999 and strongly supports continuation of these investigations. It emphasizes the importance of continuing international assistance to the strengthening of the justice system in East Timor. The Commission emphasizes the importance of the ongoing reconciliation process and the full promotion and protection of human rights, including freedom of religion, aimed at ensuring future social and political stability in East Timor. It welcomes the forthcoming establishment of a Truth, Reception and Reconciliation Commission.

“The Commission recalls the commitment of the Government of Indonesia to ensure that the violations of human rights and humanitarian law committed during the violence in 1999 are accounted for and welcomes in this context the concrete steps already taken by the Government of Indonesia, including the efforts by the Attorney-General of Indonesia to investigate fully the violations of human rights and international and humanitarian law perpetrated in East Timor in the period leading up to and immediately following the popular consultation held in August 1999. It notes with appreciation the decision adopted on 21 March 2001 by the Parliament of Indonesia pursuant to Law No. 26/2000 proposing that the Government set up an ad hoc human rights court in order to bring to justice those suspected of committing such violations. Accordingly, the Commission urges the Government of Indonesia to establish the proposed ad hoc human rights court without delay, and to bring to justice those responsible for violations of human rights and humanitarian law abuses in East Timor.

“The Commission will continue to monitor developments closely and in the light thereof consider whether further action would be required. The Commission welcomes the cooperation between the Government of Indonesia and the Office of the High Commissioner for Human Rights with a view to enhancing the capacity of the judicial system and, in particular, the functioning of the ad hoc human rights courts in full respect of international human rights standards.

“The Commission recalls the commitment by the Government of Indonesia to cooperate with the Office of the High Commissioner for Human Rights, as affirmed in the memorandum of understanding signed by the United Nations Transitional Administration in East Timor (UNTAET) and the Government of Indonesia. It reiterates the need for enhanced bilateral cooperation between UNTAET and the Government of Indonesia as foreseen in the memorandum of understanding signed by the parties, and stresses the importance that the spirit of the agreement be followed and implemented fully as foreseen.

“The Commission recalls Security Council resolution 1319 (2000) of 8 September 2000 condemning the brutal murders last September of three international staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR) in Atambua, West Timor, as well as attacks on the United Nations presence in East Timor. The Commission expects that the ongoing trials of the suspects in Indonesia will be conducted in conformity with international standards of justice and fairness.

“The Commission urges the Government of Indonesia, while acknowledging the efforts already made by the Government of Indonesia, to continue, without further delay, to fulfil its responsibility to disarm and disband the militia, to restore security in the refugee camps in West Timor and to take measures to ensure that the refugees can make a free and informed choice whether to return to East Timor or resettle in Indonesia. The Commission, concerned at the large numbers of East Timorese refugees still in camps in West Timor, encourages the Government of Indonesia to strengthen its endeavours to resolve this problem in accordance with Security Council resolutions 1319 (2000) and 1338 (2001) of 31 January 2001. It urges the Government of Indonesia to ensure full and secure humanitarian access to the refugee camps. It notes the practical arrangements made on an ad hoc basis by UNTAET, the International Organization for Migration (IOM) and UNHCR in support of the Indonesian efforts on repatriation and stresses the need to enhance the level of cooperation between the Government of Indonesia and those international organizations. In this regard it welcomes the announcement of a joint visit to the refugee camps in West Timor to be undertaken by UNTAET, UNHCR and IOM, together with the Indonesian Armed Forces (TNI). All efforts should be made to complete the refugee repatriation programme in full accordance

with international standards, including the need for an impartial and transparent process of registration of refugees in order to enable the refugees to register to vote in the East Timor general elections to be held on 30 August 2001.

“The Commission recalls the importance of a speedy resolution of this question for the laying of a strong foundation for future relations and peaceful coexistence between East Timor and Indonesia. Reconciliation and justice lie at the heart of the many issues facing East Timor during the transition period and beyond. The Commission calls for continued international support before and after independence of East Timor.

“The Commission decides to keep these matters under consideration and requests the High Commissioner to submit an interim report to the General Assembly at its fifty-sixth session and to report to the Commission at its fifty-eighth session.”
