



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/Sub.2/2001/L.10/Add.2
15 August 2001

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-third session
Agenda item 7 (a)

DRAFT PROVISIONAL AGENDA AND ADOPTION OF THE REPORT

ADOPTION OF THE REPORT ON THE FIFTY-THIRD SESSION

**Draft report of the Sub-Commission on the Promotion
and Protection of Human Rights**

Rapporteur: Mr. Godfrey Bayour Preware

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V. ADMINISTRATION OF JUSTICE

* E/CN.4/Sub.2/2001/L.10 and Addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights will be contained in documents E/CN.4/Sub.2/2001/L.11 and Addenda.

V. ADMINISTRATION OF JUSTICE

1. The Sub-Commission considered agenda item 3 at its 7th to 10th meetings, on 3, 6 and 7 August, and at its 17th and 23rd meetings, on 10 and 14 August 2001.
2. For the list of documents issued under agenda item 3, see annex VII to the present report.
3. At the 23rd meeting, on 14 August 2001, Mr. Yozo Yokota, Chairperson-Rapporteur of the sessional working group on the administration of justice, presented the report of the working group on its second session (E/CN.4/Sub.2/2001/7).
4. In the general debate on agenda item 3, statements were made by members of the Sub-Commission and observers for Governments and non-governmental organizations. For a detailed list of speakers, see annex II.

Issue of the administration of justice through military tribunals

5. At the 17th meeting, on 10 August 2001, Ms. Motoc introduced draft decision E/CN.4/Sub.2/2001/L.3, sponsored by Mr. Alfonso Martínez, Mr. Bengoa, Ms. Daes, Mr. Eide, Mr. Fan, Mr. Gómez-Robledo Verduzco, Mr. Goonesekere, Mr. Guissé, Mr. van Hoof, Mr. Kartashkin, Ms. Motoc, Mr. Ogurtsov, Mr. Oloka-Onyango, Mr. Park, Mr. Pinheiro, Mr. Preware, Mr. Sik Yuen, Ms. Warzazi, Mr. Yimer, Mr. Yokota and Ms. Zerrougui. Ms. Hampson subsequently joined the sponsors.
6. Statements in connection with the draft decision were made by Mr. Alfonso Martínez, Mr. Bengoa, Mr. Joinet and Ms. Motoc.
7. The draft decision was adopted without a vote. For the text of the decision, see chapter II, section B, decision 2001/103.

Discrimination in the criminal justice system

8. At the same meeting, Ms. Motoc introduced draft decision E/CN.4/Sub.2/2001/L.4, sponsored by Mr. Alfonso Martínez, Mr. Bengoa, Ms. Daes, Mr. Eide, Mr. Fan, Mr. Gómez-Robledo Verduzco, Mr. Guissé, Ms. Hampson, Mr. van Hoof, Mr. Joinet, Mr. Kartashkin, Ms. Motoc, Mr. Ogurtsov, Mr. Oloka-Onyango, Mr. Park, Mr. Pinheiro, Mr. Preware, Mr. Sik Yuen, Ms. Warzazi, Mr. Yimer and Mr. Yokota.
9. The draft decision was orally revised by Mr. Alfonso Martínez.
10. Statements in connection with the draft decision were made by Mr. Alfonso Martínez, Ms. Hampson, Mr. Joinet, Ms. Motoc and Mr. Yokota.
11. The draft decision, as revised, was adopted without a vote. For the text of the decision, see chapter II, section B, decision 2001/104.

Implementation in practice of the obligation to provide an effective domestic remedy

12. At the same meeting, Ms. Hampson withdrew draft decision E/CN.4/Sub.2/2001/L.6, sponsored by Ms. Daes, Mr. Eide, Mr. Fan, Mr. Gómez-Robledo Verduzco, Mr. Goonesekere, Mr. Guissé, Ms. Hampson, Mr. van Hoof, Mr. Kartashkin, Mr. Ogurtsov, Ms. Warzazi and Mr. Yokota, which read as follows:

**“Implementation in practice of the obligation to provide
an effective domestic remedy**

“At its ... meeting, on ... August 2001, the Sub-Commission on the Promotion and Protection of Human Rights, recalling the revised final report submitted by Mr. Louis Joinet pursuant to Sub-Commission decision 1996/119 on the question of the impunity of perpetrators of human rights violations (civil and political (E/CN.4/Sub.2/1997/20/Rev.1)), and in particular the set of principles for the promotion and protection of human rights through action to combat impunity contained therein (annex II), decided to entrust Ms. Françoise Hampson with the task of preparing, without financial implications, a working paper on the implementation in practice of the obligation to provide an effective domestic remedy, for submission to the Sub-Commission at its fifty-fourth session.”

Scope of the activities and the accountability of armed forces, United Nations civilian police and international civil servants taking part in peace support operations

13. At the same meeting, Ms. Hampson introduced draft decision E/CN.4/Sub.2/2001/L.7, sponsored by Mr. Bengoa, Ms. Daes, Mr. Eide, Mr. Fan, Mr. Gómez-Robledo Verduzco, Mr. Goonesekere, Mr. Guissé, Ms. Hampson, Mr. van Hoof, Mr. Kartashkin, Mr. Ogurtsov, Ms. Warzazi and Mr. Yokota. Mr. Joinet, Ms. Motoc and Ms. Zerrougui subsequently joined the sponsors.

14. The draft decision and its title were orally revised by Ms. Hampson.

15. Statements in connection with the draft decision were made by Mr. Alfonso Martínez, Ms. Hampson and Mr. Joinet.

16. The draft decision, as revised, was adopted without a vote. For the text of the decision, see chapter II, section B, decision 2001/105.
