



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/Sub.2/2001/L.10/Add.6
27 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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* 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.

IX. Draft provisional agenda and adoption of the report:

(a) Draft provisional agenda for the fifty-fourth session of the Sub-Commission:

(b) Adoption of the report on the fifty-third session

1. The Sub-Commission considered agenda item 7 at its 28th meeting, on 17 August 2001.

Draft provisional agenda for the fifty-fourth session of the Sub-Commission

2. In accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII) of 1 August 1974, the Sub-Commission had before it document E/CN.4/Sub.2/2001/L.1 containing the draft provisional agenda for the fifty-fourth session of the Sub-Commission.
3. Ms. Daes orally revised sub-item 5 of the draft provisional agenda.
4. Statements in this connection were made by Ms. Daes, Ms. Hampson, Mr. Joinet, Ms. Motoc, Mr. Pinheiro, Mr. Kartashkin, Ms. Warzazi and Ms. Zerrougui.
5. The draft provisional agenda reads as follows:

1. Organization of work

Legislative authority: Commission on Human Rights resolution 2001/60 and decision 2000/109 (annex, chapter four); Sub-Commission resolution 2001/24 and decisions 1999/114 and 2001/118.

Documentation:

Working paper by Mr. Bengoa on the methodology and work of the Social Forum (resolution 2001/24, para. 5).

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

Legislative authority: Commission on Human Rights resolution 2001/60 and decision 2000/109 (annex, paras. 51-53); Sub-Commission resolution 2001/1.

3. Administration of justice

Legislative authority: Sub-Commission decisions 2001/103, 2001/104 and 2001/105.

Documentation:

- (a) Updated report by Mr. Joinet on the administration of justice through military tribunals (decision 2001/103);
- (b) Final working paper by Ms. Zerrougui on the discrimination in the criminal justice system (decision 2001/104);
- (c) Working paper by Ms. Hampson on the scope of the activities and accountability of armed forces, United Nations civilian police, international civil servants and experts taking part in peace support operations (decision 2001/105).

4. Economic, social and cultural rights

Legislative authority: Sub-Commission resolutions 1999/8, 1999/9, 2001/2, 2001/3, 2001/4, 2001/5, 2001/6, 2001/8, 2001/21, 2001/23, 2001/24 and decisions 2001/106 and 2001/122.

Documentation:

- (a) Final report of the Special Rapporteurs on the issue of globalization and its impact on the full enjoyment of all human rights (resolution 1999/8 and decision 2001/106);
- (b) Annual report of the Secretary-General on the realization of the right to development (resolution 1999/9, para. 5 (b));
- (c) Preliminary report of the Special Rapporteur on the promotion of the realization of the right to drinking water supply and sanitation (resolution 2001/2, para. 5);
- (d) Research documents by Mr. Eide and Mr. Weissbrodt (resolution 2001/3, para. 2);
- (e) Report of the sessional working group on the working methods and activities of transnational corporations (resolution 2001/3, para. 5);
- (f) Report of the High Commissioner for Human Rights on the implications of liberalization of trade in services (resolution 2001/4, para. 2);
- (g) Joint working paper by Mr. Pinheiro, Mr. Yokota, Mr. Guissé and Mr. Bengoa on the guiding principles on the implementation of existing human rights norms and standards in the context of the fight against extreme poverty (resolution 2001/8, para. 3);
- (h) Working paper by Mr. van Hoof on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and

- cultural Rights (resolution 2001/23);
- (i) Working paper by Mr. Pinheiro on the return of refugees' or displaced persons' property (decision 2001/122).

5. Prevention of discrimination:

- (a) Racism, racial discrimination and xenophobia;**
- (b) Prevention of discrimination and protection of indigenous peoples;**
- (c) Prevention of discrimination and protection of minorities**

Legislative authority: Economic and Social Council resolution 1982/34; Commission on Human Rights resolutions 1995/24 and 1998/19; Sub-Commission resolutions 1998/5, 2001/9, 2001/10, 2001/11, 2001/12 and decisions 2001/107, 2001/108 and 2001/110.

Documentation:

- (a) Report of the Working Group on Minorities on its eighth session (Commission resolutions 1995/24 and 1998/19);
- (b) Final report of the Special Rapporteur on the concept and practice of affirmative action (Sub-Commission resolution 1998/5, para. 2, and decision 2001/107);
- (c) Updated study by Mr. Eide on peaceful and constructive approaches to situations involving minorities (resolution 2001/9, para. 9);
- (d) Report of the Working Group on Indigenous Populations on its nineteenth session (Economic and Social Council resolution 1982/34; Sub-Commission resolution 2001/10);
- (e) Working paper by Ms. Daes on indigenous peoples' permanent sovereignty over natural resources (resolution 2001/10);
- (f) Report of the High Commissioner for Human Rights (resolution 2001/12, para. 4);
- (g) Progress report of the Special Rapporteur on the rights of non-citizens (decision 2001/108);
- (h) Expanded working paper by Mr. Goonesekere on the topic of discrimination based on work and descent (decision 2001/110).

6. Other human rights issues:

- (a) Women and human rights;**
- (b) Contemporary forms of slavery;**
- (c) Other issues**

Legislative authority: Economic and Social Council decisions 16 and 17 (LVI); Sub-Commission resolutions 5 (XIV), 2001/13, 2001/14, 2001/15, 2001/16, 2001/17,

2001/18, 2001/19, 2001/20 and decisions 2001/113, 2001/114, 2001/119 and 2001/120).

Documentation:

- (a) Report of the Working Group on Contemporary Forms of Slavery on its twenty-seventh session (Economic and Social Council decisions 16 and 17 (LVI);

Report of the Secretary-General (resolution 5 (XIV));

Updated report of the Special Rapporteur on traditional practices affecting the health of women and the girl child (resolution 2001/13, para. 10);

- (d) Report of the Secretary-General on measures to implement the Programme of Action for the Elimination of the Exploitation of Child Labour (resolution 2001/14, para. 38);

- (e) Report of the Secretary-General on the situation of women and girls in the territories controlled by Afghan armed groups (resolution 2001/15, para. 11);

Extended working paper by Ms. Hampson on reservations to human rights treaties (resolution 2001/17, para. 1);

Second progress report of the Special Rapporteur on terrorism and human rights (resolution 2001/18, para. 6);

Report of the High Commissioner for Human Rights on the issues of systematic rape, sexual slavery and slavery-like practices during armed conflicts (resolution 2001/20, para. 6);

Working paper by Ms. Motoc on the Universal Declaration on the Human Genome and Human Rights (decision 2001/113);

Expanded working paper by Mr. Rodríguez-Cuadros on promotion and consolidation of democracy (decision 2001/114);

Working paper by Mr. Sik Yuen on the utility, scope and structure of a study on the real and potential dangers to the effective enjoyment of human rights posed by the testing, production, storage, transfer, trafficking or use of weapons of mass destruction or with indiscriminate effect, or of a nature to cause superfluous injury or unnecessary suffering, including the use of weaponry containing depleted uranium (decision 2001/119);

Working paper by Ms. Frey on the question of (a) the trade and carrying of small arms and light weapons and (b) the use of such weapons in the context of human rights (decision 2001/120).

7. Draft provisional agenda and adoption of the report:

- (a) **Draft provisional agenda for the fifty-fifth session of the Sub-Commission;**
- (b) **Adoption of the report on the fifty-fourth session.**

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

Documentation:

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

Adoption of the report on the fifty-third session

6. At the same meeting, the Rapporteur of the Sub-Commission presented the draft report on the work of its fifty-third session (E/CN.4/Sub.2/2001/L.10 and Add.1-6 and E/CN.4/Sub.2/2001/L.11 and Add.1-3).
7. A statement in this connection was made by Mr. Bengoa.
8. At the same meeting, the Sub-Commission adopted the draft report ad referendum and decided to entrust the Rapporteur with its finalization.
9. Concluding remarks were made by Ms. Weissbrodt, Chairperson of the fifty-third session of the Sub-Commission.
10. In the general debate on agenda item 7, statements were made by members of the Sub-Commission. For a detailed list of speakers, see annex II.