

**Economic and Social Council**

Provisional

11 June 2001

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**Resumed organizational session for 2001****Provisional summary record of the 9th meeting**

Held at Headquarters, New York, on Monday, 4 June 2001, at 11 a.m.

*President:* Mr. Šimonović ..... (Croatia)  
(Vice-President)

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*In the absence of the President, Mr. Šimonović (Croatia), Vice-President, took the Chair.*

*The meeting was called to order at 11.25 a.m.*

**Adoption of the agenda and other organizational matters (continued) (E/2001/L.7)**

*The situation of human rights in parts of South Eastern Europe*

1. **The President** invited the Council to take action on draft decision 1 entitled “The situation of human rights in parts of South-Eastern Europe”, which the Commission on Human Rights had adopted by a vote at its fifty-seventh session. The draft decision, contained in section I.1 of document E/2001/L.7 had no programme budget implications. In paragraph (a), the words “the Republic of” should be deleted in order to reflect the correct name of Bosnia and Herzegovina following the Dayton Peace Accords.

2. **Mr. Rogov** (Russian Federation), speaking in explanation of vote before the voting, said that the downgrading of the Special Rapporteur of the Commission on Human Rights to Special Representative was untimely, and that it was counterproductive to diminish his mandate. His delegation would therefore abstain in the voting.

3. *A recorded vote was taken.*

*In favour:*

Andorra, Argentina, Austria, Bolivia, Brazil, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Democratic Republic of the Congo, Denmark, France, Georgia, Germany, Indonesia, Italy, Japan, Malta, Mexico, Norway, Portugal, Republic of Korea, Saudi Arabia, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela.

*Abstaining:*

Angola, Benin, Cameroon, China, Cuba, Egypt, Nepal, Russian Federation, Sudan, Syrian Arab Republic.

4. *Draft decision 1 entitled “The situation of human rights in parts of South-Eastern Europe” was adopted by 28 votes to 0, with 10 abstentions.\**

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\* The delegations of Burkina Faso and the Democratic Republic of the Congo subsequently informed the Council that they had intended to abstain.

*Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights*

5. **The President** invited the Council to take action on draft decision 2 entitled “Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights”, contained in section I.2 of document E/2001/L.7. The draft decision had been adopted without a vote by the Commission on Human Rights at its fifty-seventh session and had no programme budget implications.

6. *Draft decision 2 entitled “Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights” was adopted.*

7. **Mr. Rabby** (United States of America), speaking in explanation of position, said that, while his delegation had joined the consensus, it did not support a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights, which would confuse economic, social and cultural rights that were to be realized progressively with legally enforceable entitlements. His delegation would welcome an opportunity to discuss its concerns with the independent expert.

*Question of enforced or involuntary disappearances*

8. **The President** invited the Council to take action on draft decision 3 entitled “Question of enforced or involuntary disappearances”, contained in section I.3 of document E/2001/L.7, which had been adopted without a vote by the Commission on Human Rights at its fifty-seventh session and had no programme budget implications.

9. *Draft decision 3 entitled "Question of enforced or involuntary disappearances" was adopted.*

10. **Mr. Rabby** (United States of America), speaking in explanation of position, said that his delegation was pleased to support the renewal of the mandate of the Working Group on Enforced or Involuntary Disappearances, and he praised its excellent work in support of the families of persons who had disappeared. The United States was opposed, however, to the establishment of an inter-sessional open-ended working group. Although it understood the arguments in favour of a new normative instrument, it believed that such an instrument would duplicate the work being carried out under a number of existing international instruments and by two existing treaty bodies.

*Human rights and indigenous issues*

11. **The President** invited the Council to take action on draft decision 4 entitled "Human rights and indigenous issues", contained in section I.4 of document E/2001/L.7, which had been adopted without a vote by the Commission on Human Rights at its fifty-seventh session and had no programme budget implications.

12. *Draft decision 4 entitled "Human rights and indigenous issues" was adopted.*

13. **Mr. Rabby** (United States of America), speaking in explanation of position, said that his delegation had joined the consensus in the expectation that, at its next session, the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights would focus on how best to transfer its responsibilities to the Permanent Forum on Indigenous Issues. With the appointment of a Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People and the establishment of the Permanent Forum and a working group on the draft declaration, his delegation believed that the Working Group on Indigenous Populations had fulfilled its mandate.

14. **Mr. Morikawa** (Japan), speaking in explanation of position, said that his delegation had joined the consensus on the understanding that, in the discharge of his or her mandate, the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People would take fully into account the diversity of views regarding both the definition of indigenous peoples and the scope of his or her mandate

and would act in broad consultation with the countries concerned, having particular regard for the distinct situation in Asia.

15. **Mr. Rogov** (Russian Federation), speaking in explanation of position, said that, although his delegation had joined the consensus, it believed that it was premature to appoint a Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People without first considering the results of the work of the Permanent Forum.

*The meeting rose at 11.40 a.m.*