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

**Draft report of the Commission**

**Rapporteur: Mr. Mike OMOTOSHO (Nigeria)**

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\* Documents E/CN.4/2004/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.4/2004/L.11 and addenda.

#### **XIV. SPECIFIC GROUPS AND INDIVIDUALS:**

- (a) Migrant workers;**
- (b) Minorities;**
- (c) Mass exoduses and displaced persons;**
- (d) Other vulnerable groups and individuals**

1. The Commission considered agenda item 14 at its 41st meeting, on 7 April, at its 43rd meeting, on 8 April, at its 45th meeting, on 13 April, and at its 56th meeting, on 20 April 2004.

2. For the documents issued under agenda item 14, 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 41st meeting, on 7 April 2004, the Representative of the Secretary-General on internally displaced persons, Mr. Francis M. Deng, introduced his report (E/CN.4/2004/77 and Add.1-4). During the ensuing interactive dialogue, the representative of Ireland (on behalf of the European Union), as well as the observers for Canada and Switzerland addressed questions to the Special Rapporteur, to which he responded.

4. At the same meeting, the Special Rapporteur on disabilities of the Commission on Sustainable Development, Ms. Sheikha Hessa Khalifa bin Ahmed al-Thani, made a statement.

5. Also at the same meeting, Mr. Bertrand Ramcharan, Acting United Nations High Commissioner for Human Rights, made statements.

6. At the 43rd meeting, on 8 April 2004, the Special Rapporteur on the human rights of migrants, Ms. Gabriela Rodríguez Pizarro, introduced her report (E/CN.4/2004/76 and Add.1-4). During the ensuing interactive dialogue, the representatives of Ireland (on behalf of the European Union) and Mexico as well as the observer for Canada addressed questions to the Special Rapporteur, to which she responded.

7. In the general debate on agenda item 14, 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.

### **Violence against women migrant workers**

8. At the 56th meeting, on 20 April 2004, the observer for the Philippines introduced draft resolution E/CN.4/2004/L.69, sponsored by Egypt, Indonesia, the Philippines, Sri Lanka and Turkey. Algeria, Australia, Bangladesh, Bolivia, Brazil, Burkina Faso, Chile, Colombia, Ecuador, El Salvador, Ethiopia, Equatorial Guinea, Guatemala, Madagascar, Mexico, Morocco, Nepal, Nicaragua, Paraguay and Peru subsequently joined the sponsors.

9. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2004/49.

### **Missing persons**

10. At the same meeting, the observer for Azerbaijan introduced draft resolution E/CN.4/2004/L.70, sponsored by Armenia, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Costa Rica, the Democratic Republic of the Congo, Egypt, Ethiopia, Georgia, Kazakhstan, Kyrgyzstan, the Libyan Arab Jamahiriya, Pakistan, Panama, Qatar, Saudi Arabia, Senegal, Serbia and Montenegro and the Sudan. Belarus, Chile, Croatia, Equatorial Guinea, Germany, Greece, Italy, Luxembourg, Nicaragua, Sierra Leone and Ukraine subsequently joined the sponsors.

11. The representative of the United States of America proposed to amend the draft resolution by modifying operative paragraphs 1, 3 and 4.

12. Statements in connection with the draft resolution and the amendment were made by the representative of India.

13. The amendment proposed to operative paragraph 1 was adopted without a vote.

14. An explanation of vote before the vote was made by the representative of Argentina.

15. At the request of the representative of Argentina, a recorded vote was taken on the proposed amendment to operative paragraph 3, which was rejected by 47 votes to 4, with 2 abstentions. The voting was as follows:

*In favour:* Australia, India, Indonesia, United States of America.

*Against:* Argentina, Armenia, Austria, Bahrain, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Croatia, Cuba, Dominican Republic, Egypt, Eritrea, Ethiopia, France, Gabon, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Mauritania, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Sudan, Swaziland, Sweden, Togo, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

*Abstaining:* Bhutan, Sri Lanka.

16. An explanation of vote before the vote was made by the representative of Argentina.

17. At the request of the representative of Argentina, a recorded vote was taken on the proposed amendment to operative paragraph 4, which was rejected by 46 votes to 3, with 4 abstentions. The voting was as follows:

*In favour:* Australia, India, United States of America.

*Against:* Argentina, Armenia, Austria, Bahrain, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Croatia, Cuba, Dominican Republic, Egypt, Eritrea, Ethiopia, France, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Mauritania, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Sudan, Swaziland, Sweden, Togo, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

*Abstaining:* Bhutan, Gabon, Indonesia, Sri Lanka.

18. An explanation of vote before the vote was made by the representative of the United States of America.

19. At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution, as amended, which was adopted by 52 votes to none, with 1 abstention. The voting was as follows:

*In favour:* Argentina, Armenia, Australia, Austria, Bahrain, Bhutan, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Croatia, Cuba, Dominican Republic, Egypt, Eritrea, Ethiopia, France, Gabon, Germany, Guatemala, Honduras, Hungary, India, Indonesia, Ireland, Italy, Japan, Mauritania, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Sweden, Togo, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

*Against:* None.

*Abstaining:* United States of America.

20. For the text of the draft resolution, as adopted, see chapter II, section A, resolution 2004/50.

### **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**

21. At the same meeting, the representative of Mexico introduced draft resolution E/CN.4/2004/L.72, sponsored by Algeria, Azerbaijan, Bangladesh, Bolivia, Bosnia and Herzegovina, Burkina Faso, Chile, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Guatemala, Honduras, Mexico, Morocco, Paraguay, Peru, Senegal, Sri Lanka, the Sudan, Tunisia, Turkey and Uruguay. Ethiopia, Nicaragua and Nigeria subsequently joined the sponsors.

22. The representative of Mexico orally revised operative paragraphs 6 and 7 of the draft resolutions.

23. 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.

24. Statements in explanation of the position of their respective delegations were made by the representatives of Australia, Japan, Mexico and the United States of America.

25. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2004/56.

### **Rights of persons belonging to national or ethnic, religious and linguistic minorities**

26. Also at the same meeting, the representative of Austria introduced draft resolution E/CN.4/2004/L.75, sponsored by Andorra, Angola, Argentina, Austria, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Croatia, Cyprus, the Czech Republic, Denmark, Eritrea, Ethiopia, Finland, Georgia, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Peru, Portugal, the Republic of Korea, Romania, San Marino, Slovakia, Slovenia, Switzerland and Uruguay. Albania, Armenia, Australia, Canada, Colombia, Ecuador, Equatorial Guinea, Ghana, Kyrgyzstan, Malta, Morocco, Nicaragua, Nigeria, the Philippines, Sri Lanka, Sweden, The former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America subsequently joined the sponsors.

27. The representative of Austria orally revised the draft resolution by modifying operative paragraphs 10 and 12.

28. A statement in connection with the draft resolution was made by the representative of Sri Lanka.

29. The draft resolution, as orally revised, was adopted without a vote. For the text, see chapter II, section A, resolution 2004/51.

### **Human rights of persons with disabilities**

30. At same meeting, the representative of Sweden introduced draft resolution E/CN.4/2004/L.76, sponsored by Albania, Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Eritrea, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Mexico, Morocco, Mozambique, Norway, Panama, Paraguay, Peru, Poland, Romania, San Marino, Sierra Leone, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela. Andorra, Ecuador, Equatorial Guinea, Gabon, Israel, Malta, the Netherlands, Nicaragua, the Philippines, Portugal, Senegal, Serbia and Montenegro, Ukraine and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

31. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2004/52.

### **Human rights of migrants**

32. At the same meeting, the representative of Mexico introduced draft resolution E/CN.4/2004/L.78, sponsored by Algeria, Armenia, Bangladesh, Bolivia, Bosnia and Herzegovina, Brazil, Burkina Faso, Chile, Congo, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, Kenya, Mexico, Morocco, Paraguay, Peru, Sri Lanka, Tunisia, Turkey and Uruguay. Argentina, Azerbaijan, Equatorial Guinea, Indonesia, Madagascar, Morocco, Nicaragua, the Philippines, Senegal and Serbia and Montenegro subsequently joined the sponsors.

33. The representative of Mexico orally revised the draft resolution by adding a new preambular paragraph as the last preambular paragraph.

34. A statement in connection with the draft resolution was made by the representative of the United States of America.

35. The draft resolution, as orally revised, was adopted without a vote. For the text, see chapter II, section A, resolution 2004/53.

### **The rights of non-citizens**

36. At the same meeting the representative of the United Kingdom of Great Britain and Northern Ireland introduced an amendment, contained in document E/CN.4/2004/L.48, to replace draft decision 5 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2004/2-E/CN.4/Sub.2/2003/43, chap. I, sect. B). Canada, France, the Netherlands and Italy subsequently joined the sponsors.

37. Statements in connection with the draft decision and the amendment thereto were made by the representatives of China and Cuba.

38. At the request of the representative of China, a recorded vote was taken on the amendment, which was adopted by 33 votes to 10, with 10 abstentions. The voting was as follows:

*In favour:* Argentina, Armenia, Australia, Austria, Bahrain, Bhutan, Chile, Costa Rica, Croatia, Dominican Republic, Egypt, France, Germany, Guatemala, Honduras, Hungary, India, Indonesia, Ireland, Italy, Japan, Mexico, Nepal, Netherlands, Nigeria, Paraguay, Qatar, Republic of Korea, Saudi Arabia, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Brazil, China, Cuba, Pakistan, Peru, Russian Federation, South Africa, Sudan, Togo, Zimbabwe.

*Abstaining:* Burkina Faso, Congo, Eritrea, Ethiopia, Gabon, Mauritania, Sierra Leone, Sri Lanka, Swaziland, Uganda.

39. For the text of the draft decision, see chapter II, section B, decision 2004/112.

#### **Publishing the report of the Special Rapporteur on the rights of non-citizens**

40. At the same meeting, the Commission had before it draft decision 11 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2004/2-E/CN.4/Sub.2/2003/43, chap. I, sect. B).

41. The draft decision was adopted without a vote. For the text, see chapter II, section B, decision 2004/113.

#### **Voluntary fund on minority-related activities**

42. At the same meeting, the Commission had before it draft decision 12 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2004/2-E/CN.4/Sub.2/2003/43, chap. I, sect. B).

43. The draft decision was adopted without a vote. For the text, see chapter II, section B, decision 2004/114.

#### **International year/decade for the world's minorities**

44. At the same meeting, the representative of the United Kingdom of Great Britain and Northern Ireland introduced an amendment, contained in document E/CN.4/2004/L.47, to replace draft decision 13 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2004/2-E/CN.4/Sub.2/2003/43, chap. I, sect. B). Canada, Luxembourg, the Netherlands and Italy subsequently joined the sponsors.

45. The amendment was adopted without a vote.

46. The draft decision, as amended, was adopted without a vote. For the text, see chapter II, section B, decision 2004/115.

**Tolerance and pluralism as indivisible elements in the promotion and protection of human rights**

47. At the same meeting, the representative of India introduced draft resolution E/CN.4/2004/L.71, sponsored by Albania, Algeria, Australia, Bangladesh, Belarus, Bhutan, Brazil, Bulgaria, Canada, Chile, Denmark, Germany, Guatemala, India, Indonesia, Italy, Japan, Kazakhstan, Malaysia, Mexico, Mozambique, Nepal, Pakistan, Peru, Romania, the Russian Federation, Serbia and Montenegro, Sri Lanka, Thailand, Togo, Ukraine and Zimbabwe. Argentina, Armenia, Austria, Belgium, Cyprus, Ecuador, Equatorial Guinea, Gabon, Greece, Hungary, Finland, France, Iceland, Ireland, Israel, Luxembourg, the Netherlands, Nicaragua, Nigeria, Slovenia, Portugal, the Republic of Korea, Senegal, Spain, Sweden, Uruguay and the United States of America subsequently joined the sponsors.

48. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2004/54.

**Internally displaced persons**

49. Also at the same meeting, the representative of Austria introduced draft resolution E/CN.4/2004/L.77 sponsored by Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Croatia, Cyprus, the Democratic Republic of the Congo, Denmark, Eritrea, Estonia, Finland, France, Georgia, Germany, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, the Netherlands, Norway, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Bosnia and Herzegovina, the Czech Republic, Ecuador, Ethiopia, Equatorial Guinea, Greece, Malta, Nigeria, Peru and The former Yugoslav Republic of Macedonia subsequently joined the sponsors.

50. The representative of Austria orally revised the twelfth preambular paragraph, and operative paragraphs 23, 24, 25 and 27.

51. Statements in connection with the draft resolution were made by the representative of India, the Russian Federation and the United States of America.
52. 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.
53. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2004/55.

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