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

Draft report of the Commission

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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.

XVI. Report of the Sub-Commission on the Promotion and Protection of Human Rights:

(a) Report and draft decision;

(b) Election of members

1. The Commission considered agenda item 16 at its 45th and 46th meetings, on 13 April, at its 47th meeting, on 14 April, and at its 56th meeting, on 20 April 2004.
2. For the documents issued under agenda item 16, see annex VI. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.
3. In the general debate on agenda item 16, statements were made by members of the Commission and non-governmental organizations. For a detailed list of speakers, see annex III to the present report.
4. At the 46th meeting, on 13 April 2004, Ms. Halima Warzazi, Chairperson of the fifty-fifth session of the Sub-Commission on the Promotion and Protection of Human Rights, introduced her report (E/CN.4/2004/83).

(a) Report and draft decisions

Responsibilities of transnational corporations and related business enterprises with regard to human rights

5. At the 56th meeting, on 20 April 2004, the Commission had before it draft decision E/CN.4/2004/L.73/Rev.1, sponsored by Australia, Belgium, the Czech Republic, Ethiopia, Ghana, Hungary, Ireland, Japan, Mexico, Norway, South Africa, Sweden and the United Kingdom of Great Britain and Northern Ireland. Austria, Bangladesh, Croatia, Denmark, Equatorial Guinea, Finland, France, Guatemala, Iceland, Italy, Luxembourg, the Netherlands, Nigeria, Poland, Spain and Switzerland subsequently joined the sponsors.
6. A statement in explanation of his delegation's position was made by the representative of Cuba.

7. The draft decision was adopted without a vote. For the text, see chapter II, section B, decision 204/116.

The work of the Sub-Commission on the Promotion and Protection of Human Rights

8. At the same meeting, the observer for Luxembourg introduced draft resolution E/CN.4/2004/L.74/Rev.1, sponsored by Albania, Algeria, Andorra, Armenia, Australia, Austria, Belgium, Canada, Chile, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland. Bulgaria, Croatia, Mauritania and Nigeria subsequently joined the sponsors.

9. The representative of Cuba orally proposed to amend the draft resolution by modifying paragraph 9, subparagraph (d).

10. A statement in connection with the draft resolution was made by the representative of the Netherlands.

11. The amendment was adopted without a vote.

12. 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.

13. The draft resolution, as orally amended, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2004/60.

(b) Election of members

14. The Commission had before it a note by the Secretary-General containing nominations of candidates for election to membership of the Sub-Commission on the Promotion and Protection of Human Rights and biographical data on the candidates (E/CN.4/2004/82 and Add.1).

15. In accordance with Economic and Social Council resolutions 1334 (XLIV) of 31 May 1968 and 1986/35 of 23 May 1986, and decisions 1978/21 of 5 May 1978 and 1987/102 of 6 February 1987, the Commission, at its forty-fourth session (39th meeting, held on 29 February 1988), elected by secret ballot 26 members of the Sub-Commission from among experts nominated by States Members of the United Nations, on the following basis: (a) seven members from African States; (b) five members from Asian States; (c) three members from Eastern European States; (d) five members from Latin American and Caribbean States; (e) six members from Western European and other States.

16. Pursuant to Economic and Social resolution 1986/35, members of the Sub-Commission are elected for a term of four years, and half of the membership and the corresponding alternates, if any, are elected every two years.

17. As the term of office of half of the membership of the Sub-Commission had expired, the Commission was called upon to hold an election of Sub-Commission members and alternates on the following basis: four members from African States, two members from Asian States, two members from Eastern European States, two members from Latin American and Caribbean States, and three members from Western European and other States.

18. At its 45th meeting, on 13 April 2004, the Commission elected, without a vote, 5 members of the Sub-Commission and their corresponding alternates, if any, for a period of four years. The following candidates were elected:

Latin American and Caribbean States

Mr. Miguel Alfonso Martinez Cuba

Mr. Juan Antonio Fernandez Palacios*

Mr. Janio Ivan Tunon Veilles Panama

Ms. Carmina Casis Crespo*

* Alternate.

Western European and Other States

Mr. Marc Bossuyt	Belgium
Mr. Gudmundur Alfredsson	Iceland
Mr. Jacob Möller*	
Mr. David Rivkin	United States of America
Mr. Lee Casey*	

19. At its 46th meeting, on 13 April 2004, the Commission elected by secret ballot 7 members of the Sub-Commission and their corresponding alternates, if any, for a period of four years. The following candidates were elected:

African States

Mr. Mohammed Habib Cherif	Tunisia
Mr. Habib Achour*	
Mr. Ibrahim Salama	Egypt
Mr. Amani Kandil*	
Ms. Halima Embarek Warzazi	Morocco

Asian States

Mr. Chin-sung Chung	Republic of Korea
Mr. Ji ah Paik*	
Mr. Yozo Yokota	Japan
Ms. Yoko Hayashi*	

Eastern European States

Mr. Gaspar Biro	Hungary
Ms. Iulia Motoc	Romania
Ms. Victoria Sandru-Popescu*	

20. At its 47th meeting, on 14 April 2004, the Commission elected by secret ballot one member of the Sub-Commission and his/her corresponding alternate, if any, for a period of four years. The following candidates were elected:

African States

Ms. N.U.O. Wadibia-Anyanwu

Nigeria

Ms. Cristy Ezim Mbonu*
