



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/2004/L.10/Add.7
13 April 2004

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Agenda item 21 (b)

**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.

VII. The right to development

1. The Commission considered agenda item 7 at its 16th and 17th meetings, on 23 March, at its 18th and 19th meetings, on 24 March, and at its 45th meeting, on 13 April 2004.
2. For the documents issued under agenda item 7, 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 16th meeting, on 23 March 2004, the Chairperson-Rapporteur of the Open-ended working group established to monitor and review progress made in the promotion and implementation of the right to development, Mr. Ibrahim Salama, introduced the report of the Working Group on its fifth session (E/CN.4/2004/23).
4. At the 17th meeting, the independent expert on the right to development, Mr. Arjun Sengupta, made a statement. During the ensuing interactive dialogue, the representative of Ireland (on behalf of the European Union) addressed questions to the independent expert, to which he responded.
5. In the general debate on agenda item 7, 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.

The right to development

6. At the 45th meeting, on 13 April 2004, the representative of Malaysia (on behalf of States members of the Non-Aligned Movement and China) introduced draft resolution E/CN.4/2004/L.17. Armenia, Brazil, Nicaragua, Paraguay, Peru and Uruguay subsequently joined the sponsors.
7. Statements in explanation of vote before the vote were made by the representatives of Australia, India, Ireland (on behalf of the States members of the European Union that are members of the Commission - Austria, France, Germany, Italy, the Netherlands, Sweden and the

United Kingdom of Great Britain and Northern Ireland; the acceding country that is a member of the Commission - Hungary - aligned itself with the statement), Japan and the United States of America.

8. At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution, which was adopted by 49 votes to 3. The voting was as follows:

In favour: Argentina, Armenia, 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, Mauritania, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Sweden, Togo, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against: Australia, Japan, United States of America.

Abstaining: None.

9. 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.

10. For the text of the resolution as adopted, see chapter II, section A, resolution 2004/7.
