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**REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON  
THE SIXTY-FIRST SESSION OF THE COMMISSION**

**Draft report of the Commission**

**Rapporteur: Ms. Deirdre KENT (Canada)**

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\* Documents E/CN.4/2005/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.4/2005/L.11 and addenda.

## **XVIII. Effective functioning of human rights mechanisms:**

**(a) Treaty bodies;**

**(b) National institutions and regional arrangements;**

**(c) Adaptation and strengthening of the United Nations machinery for human rights**

1. The Commission considered agenda item 18, at its 46th, 47th and 48th meetings, on 13 April 2005, at its 54th meeting, on 18 April, and at its 58th and 59th meetings, on 20 April.<sup>1</sup>

2. For the documents issued under agenda item 18, 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 48th meeting, on 13 April 2005, Mr. Prasad Kariyawasam, Chairperson of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, made a statement.

4. In the general debate on agenda item 18, statements were made by members of the Commission, observers and representatives of national institutions and of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

### **Regional cooperation for the promotion and protection of human rights in the Asian and Pacific region**

5. At the 59th meeting, the representative of China introduced draft resolution E/CN.4/2005/L.68, sponsored by China. Bhutan, India, Indonesia, the Islamic Republic of Iran, Japan, New Zealand, the Philippines, Qatar, the Republic of Korea, Saudi Arabia, Sri Lanka, Thailand and Yemen subsequently joined the sponsors.

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<sup>1</sup> See footnote 1 above (chap. III, para. 1).

6. The representative of China orally revised the draft resolution by inserting a new preambular paragraph after the second preambular paragraph as well as by inserting a new operative paragraph after operative paragraph 3 and renumbering the subsequent paragraphs.

7. The draft resolution, as orally revised, was adopted without a vote. For the text, see chapter II, section A, resolution 2005/71.

### **Composition of the staff of the Office of the United Nations High Commissioner for Human Rights**

8. At the same meeting, the representative of Cuba introduced draft resolution E/CN.4/2005/L.70, sponsored by Bangladesh, Belarus, Bhutan, Burundi, Cameroon, China, the Congo, Côte d'Ivoire, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Gabon, Guinea, Honduras, Indonesia, Iran (Islamic Republic of), Kenya, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Myanmar, Nepal, Nigeria, Oman, Pakistan, the Republic of Korea, Saudi Arabia, Senegal, South Africa, Sri Lanka, Sudan, Swaziland, the Syrian Arab Republic, Togo, Tunisia, the United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia and Zimbabwe. Algeria, Angola, Azerbaijan, Botswana, Cambodia, Colombia, Egypt, India, Jordan, Kazakhstan, Morocco, Mozambique and the United Arab Emirates subsequently joined the sponsors.

9. Statements in connection with the draft resolution were made by the representatives of China and India.

10. A statement in connection with the draft resolution was made by the United Nations High Commissioner for Human Rights.

11. Statements in explanation of vote before the vote were made by the representatives of the Netherlands (on behalf of the States members of the European Union that are members of the Commission - Finland, France, Germany, Hungary, Ireland, Italy and the United Kingdom of Great Britain and Northern Ireland - as well as Romania, which aligned itself with the statement) and the Russian Federation.

12. At the request of the representative of the Netherlands (on behalf of the States members of the European Union that are members of the Commission - Finland, France, Germany, Hungary, Ireland, Italy and the United Kingdom of Great Britain and Northern Ireland - as well as Romania, which aligned itself with the statement), a recorded vote was taken on the draft resolution, which was adopted by 36 votes to 15, with 2 abstentions. The voting was as follows:

*In favour:* Argentina, Armenia, Bhutan, Brazil, Burkina Faso, China, Congo, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Guinea, Honduras, India, Indonesia, Kenya, Malaysia, Mauritania, Mexico, Nepal, Nigeria, Pakistan, Paraguay, Qatar, Russian Federation, Saudi Arabia, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Zimbabwe.

*Against:* Australia, Canada, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Netherlands, Republic of Korea, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Abstaining:* Guatemala, Peru.

13. For the text, see chapter II, section A, resolution 2005/72.

### **Regional arrangements for the promotion and protection of human rights**

14. At the same meeting, the observer for Belgium introduced draft resolution E/CN.4/2005/L.76, sponsored by Argentina, Armenia, Austria, Belgium, Bulgaria, Congo, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Honduras, Hungary, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Morocco, the Netherlands, Nigeria, Poland, Portugal, Qatar, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand and the United Kingdom of Great Britain and Northern Ireland. Albania, Australia, Bosnia and Herzegovina, Cameroon, Canada, Chile, Costa Rica, Gabon, Guatemala, Iceland, Monaco, New Zealand, Paraguay, Peru, the Philippines, the Republic of Korea, the Republic of Moldova, Serbia and Montenegro, South Africa, Ukraine and the United States of America subsequently joined the sponsors.

15. 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<sup>2</sup> of the draft resolution.

16. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2005/73.

### **National institutions for the promotion and protection of human rights**

17. At the same meeting, the representative of Australia introduced draft resolution E/CN.4/2005/L.92/Rev.1, sponsored by Afghanistan, Albania, Algeria, Argentina, Armenia, Australia, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Chile, Congo, Croatia, Cyprus, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Kenya, Latvia, Lithuania, Luxembourg, Mexico, Morocco, Nepal, New Zealand, Nigeria, Norway, Paraguay, Peru, Poland, the Republic of Korea, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela. Costa Rica, Egypt, Iceland, Senegal and the United Republic of Tanzania subsequently joined the sponsors.

18. 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<sup>2</sup> of the draft resolution.

19. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2005/74.

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<sup>2</sup> See footnote 2 above (chap. III, para. ...).