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and Protection of Human Rights
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Agenda item 7

DRAFT PROVISIONAL AGENDA AND ADOPTION OF THE REPORT

ADOPTION OF THE REPORT ON THE FIFTY-FIFTH SESSION

**Draft report of the Sub-Commission on the Promotion
and Protection of Human Rights***

Rapporteur: Mr. Stanislav Ogurtsov

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* E/CN.4/Sub.2/2003/L.10 and Addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights will be contained in documents E/CN.4/Sub.2/2003/L.11 and Addenda.

III. Organization of work

A. Opening and duration of the session and number of meetings

1. The Sub-Commission on the Promotion and Protection of Human Rights held its fifty-fifth session at the United Nations Office at Geneva from 28 July to 15 August 2003. It held 26 meetings (see E/CN.4/Sub.2/2003/SR.1-24), 3 of which were held in closed session (see E/CN.4/Sub.2/2003/SR.2, SR.20 and SR.21).

2. The session was opened by Mr. Paulo Sérgio Pinheiro, Chairperson of the Sub-Commission on the Promotion and Protection of Human Rights at its fifty-fourth session, who made a statement.

3. The Deputy High Commissioner for Human Rights, Mr. Bertrand Ramcharan, addressed the Sub-Commission at its 1st meeting, on 28 July 2003.

B. Attendance

4. The session was attended by members of the Sub-Commission, by observers for States Members of the United Nations, by observers for non-member States and by observers for intergovernmental organizations, United Nations bodies, specialized agencies, other organizations and non-governmental organizations. The attendance list is given in annex III to the present report.

C. Resolutions and documentation

5. The Sub-Commission adopted 30 resolutions and took 16 decisions. The texts of these resolutions and decisions appear in chapter II, sections A and B, respectively. Draft decisions for action or consideration by the Commission on Human Rights are set out in chapter I. For a list of the resolutions and decisions adopted by the Sub-Commission, see annex VIII to the present report.

6. Information concerning the administrative and programme budget implications of resolutions and decisions adopted by the Sub-Commission at its fifty-fifth session is provided in annex IV.

7. A list of the resolutions and decisions referring to matters drawn to the attention of the Commission on Human Rights is contained in annex V.
8. A list of studies completed at the fifty-fifth session, of ongoing studies, of working papers entrusted to members and of studies recommended for approval, drawn up in accordance with Commission on Human Rights resolution 1982/23, appears in annex VI.
9. A list of documents for the fifty-fifth session of the Sub-Commission appears in annex VII. Written communications submitted by Governments and non-governmental organizations for circulation at the session are also mentioned in annex VII.

D. Election of officers

10. At its 1st meeting, on 28 July 2003, the Sub-Commission elected the following officers by acclamation:

Chairperson: Ms. Halima Warzazi

Vice-Chairpersons: Ms. Kalliopi Koufa
Mr. Abdul Sattar

Rapporteur: Mr. Stanislav Ogurtsov

11. At its 4th meeting, on 30 July 2003, the Sub-Commission elected Ms. Florizelle O'Connor as Vice-Chairperson by acclamation.

E. Adoption of the agenda

12. At the same meeting, the Sub-Commission had before it a note by the Secretary-General containing the provisional agenda for the fifty-fifth session (E/CN.4/Sub.2/2003/1), drawn up in accordance with rule 5 of the rules of procedure of the functional commissions of the Economic and Social Council, on the basis of the draft provisional agenda considered by the Sub-Commission at its fifty-fourth session in accordance with paragraph 3 of Economic and Social Council resolution 1894 (LVII).

13. At the 1st meeting, on 28 July 2003, the agenda (see annex I), was adopted without a vote.

F. Organization of work and conduct of business

14. At the 1st meeting, the Chairperson of the fifty-ninth session of the Commission on Human Rights, Ms. Najat Al-Hajjaji, addressed the Sub-Commission, in accordance with Commission resolution 2003/59.

15. The Sub-Commission considered item 1 of the agenda at its 1st, 2nd (closed) and 3rd meetings, on 28 and 29 July, at its 6th meeting, on 31 July, at its 20th (closed) meeting, on 13 August as well as at the closed and public parts of its 21st meeting, on 13 August 2003.

16. In the general debate on agenda item 1, statements were made by members of the Sub-Commission. For the list of speakers, see annex II.

17. At its 1st meeting, on 28 July 2003, and 2nd meeting, on 29 July 2003, the Sub-Commission considered the organization of its work and conduct of business.

18. Upon the recommendation of its officers, the Sub-Commission decided, without a vote, the following with respect to sessional working groups:

(a) To establish a sessional working group on the administration of justice under agenda item 3 and to nominate the following members of the Sub-Commission as members of the working group: Ms. Hampson, Ms. Motoc, Ms. O'Connor, Ms. Rakotoarisoa and Mr. Sorabjee. For the text of the decision, see chapter II, section B, decision 2003/101;

(b) To establish a sessional working group to examine the working methods and activities of transnational corporations under agenda item 4 and to nominate the following members of the Sub-Commission as members of the working group: Mr. Alfonso Martínez, Mr. Guissé, Mr. Malguinov, Mr. Park and Mr. Weissbrodt. For the text of the decision, see chapter II, section B, decision 2003/102.

19. The Sub-Commission accepted the recommendations of its officers regarding limitation of the frequency and duration of statements. Members of the Sub-Commission would be entitled to make one or more statements of 10 minutes per item. Observers for non-governmental organizations would be limited to one statement of seven minutes per item. With regard to joint statements by non-governmental organizations, the following timing was agreed upon: 1 or 2 non-governmental organizations: 7 minutes; 3 to 5 non-governmental organizations: 10 minutes; 6 to 10 non-governmental organizations: 12 minutes; more than 10 non-governmental organizations: 15 minutes. National human rights institutions would be allowed to make statements on the same basis as non-governmental organizations. Government observers would be limited to one statement of five minutes per item. That speaking time would also apply to observers for intergovernmental organizations, United Nations bodies, specialized agencies and other organizations.

20. According to the special procedure for the allocation of speaking time and the closure of the list of speakers on the agenda item dealing with violations of human rights which was established by the Sub-Commission in its decision 1994/117, the maximum speaking time under agenda item 2 would be determined, for all observers, by dividing equally the time allocated to observers by the number of speakers who had signed up before the closure of the list. The closure of the list would be set at 6 p.m. on the day before the opening of the debate on that agenda item.

21. The Sub-Commission also accepted the recommendation that special rapporteurs should limit their statements to 15 minutes, to be divided between the introduction of the report and the concluding remarks.

22. It was also accepted that Sub-Commission members taking the floor on procedural matters should be as brief as possible and not exceed two minutes.

23. It was agreed that, with regard to statements by government observers equivalent to a right of reply, a limitation to two replies, of three minutes for the first and of two minutes for the second, at the end of the general debate on any particular item(s), would be observed. Under any agenda item, government observers should not address the human rights situations in countries other than their own, except when exercising the right of reply.

24. It was also agreed that the list of speakers would be opened at the beginning of the session for all participants to register to speak on any agenda item. If the list of speakers had not been exhausted during a particular meeting, the remaining speakers would be given the floor, in the same order, as the first speakers at the next meeting. The closure of the list of speakers on any item(s) would be announced by the Chairperson in advance, normally at the beginning of the consideration of that agenda item (except for item 2).

25. It was also agreed that if there were no more speakers on an agenda item at a particular meeting, the Sub-Commission would take up the next item on its calendar, if deemed necessary.

26. It was also agreed that, in order to respect editorial and other requirements, draft resolutions and decisions should be submitted at least three working days before the date on which they were scheduled to be considered. The deadlines for the submission of draft resolutions would be set by the Chairperson in consultation with the Bureau and announced sufficiently in advance.

27. Also at its 2nd (closed) meeting, the Sub-Commission approved the timetable for the consideration of agenda items proposed by the Bureau.

28. At the 6th meeting, on 31 July 2003, the Sub-Commission discussed the issues raised by the Deputy High Commissioner in his opening statement to the Sub-Commission. Statements in that connection were made by Mr. Alfonso Martínez, Mr. Bengoa, Mr. Chen Shiqui, Mr. Decaux, Mr. Eide, Ms. Hampson, Ms. Mbonu, Ms. Motoc, Ms O'Connor, Mr. Park, Mr. Pinheiro, Mr. Sattar, Mr. Yokota and Ms. Zerrougui.

29. At the same meeting, Mr. William Bunch, Chief, Central Planning and Coordination Service, United Nations Office at Geneva, gave a briefing on documentation. Statements in this connection were made by Mr. Alfonso Martínez, Mr. Decaux, Mr. Eide and Ms Hampson.

30. At the 23rd meeting, on 14 August 2003, the members of the Sub-Commission held an exchange of views with representatives of non-governmental organizations.

G. Other matters

31. At the 1st meeting, on 28 July 2003, in accordance with decision 1994/103 of the Sub-Commission and at the proposal of the Chairperson, the Sub-Commission observed a minute of silence in honour of the victims of all forms of violations of human rights in all regions of the world.

Working paper on methods of work of the Sub-Commission

32. At the same meeting, the Sub-Commission decide to postpone the consideration of draft decision E/CN.4/Sub.2/2003/L.33, entitled “Working paper on methods of work of the Sub-Commission”. For the text of the decision, see chapter II, section B, decision 2003/103.

Composition of working groups of the Sub-Commission for 2004

33. At the 22nd meeting, on 13 August 2003, the Sub-Commission considered a draft decision on the composition of the intersessional and pre-sessional working groups of the Sub-Commission introduced by the Chairperson on behalf of the Bureau of the Sub-Commission.

34. The draft decision was adopted without a vote. For the text of the decision, see chapter II, section B, decision 2003/112.
