



**Economic and Social  
Council**

Distr.  
LIMITED

E/CN.4/Sub.2/2005/L.10/Add.4  
11 August 2005

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS  
Sub-Commission on the Promotion  
and Protection of Human Rights  
Fifty-seventh session  
Agenda item 7 (b)

**ADOPTION OF THE REPORT ON THE FIFTY-SEVENTH SESSION**

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

**Rapporteur: Mr. Yozo YOKOTA**

**CONTENTS\***

<i>Chapter</i>	<i>Page</i>
<b>VII. Prevention of discrimination:</b>	
<b>(a) Racism, racial discrimination and xenophobia;</b>	
<b>(b) Prevention of discrimination and protection of indigenous peoples;</b>	
<b>(c) Prevention of discrimination and protection of minorities .....</b>	

\* E/CN.4/Sub.2/2005/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.2/2005/L.11 and Addenda.

## **VII. Prevention of discrimination:**

- (a) Racism, racial discrimination and xenophobia;**
- (b) Prevention of discrimination and protection of indigenous peoples;**
- (c) Prevention of discrimination and protection of minorities**

1. The Sub-Commission considered agenda item 5 at its 12th and 13th meetings, on 5 August, its 14th meeting, on 8 August, its 19th meeting, on 10 August, and at its 20th meeting, on 11 August 2005.
2. For the list of documents issued under agenda item 5, see annex VII to the present report.
3. At the 12th meeting, on 5 August 2005, Mr. Yokota presented his preliminary working paper on discrimination against leprosy victims and their families (E/CN.4/Sub.2/2005/29). In the interactive dialogue that followed, statements were made by Mr. Casey, Ms. Chung, Ms. Hampson, Ms. Mbonu, Mr. Pinheiro and Mr. Sattar. At the same meeting, Mr. Yokota made his concluding remarks.
4. At the 13th meeting, on 5 August 2005:
  - (a) Mr. Bengoa, Chairperson-Rapporteur of the Working Group on Minorities, presented the report of the Working Group on its eleventh session (E/CN.4/Sub.2/2005/27). In the interactive dialogue that followed, statements were made by Mr. Bíró, Mr. Bossuyt, Mr. Decaux, Ms. Hampson, Ms. Motoc and Mr. Salama. At the same meeting, Mr. Bengoa made his concluding remarks;
  - (b) Ms. Chung and Mr. Yokota, Special Rapporteurs on discrimination based on work and descent, introduced their preliminary report (E/CN.4/Sub.2/2005/30). In the interactive dialogue that followed, statements were made by Ms. Hampson, as well as the observer for the non-governmental organization Lutheran World Federation (also on behalf of Anti-Slavery International, Franciscans International, Human Rights Watch, International

Federation of Human Rights Leagues, International Movement Against All Forms of Discrimination and Racism, Minority Rights Group International, Pax Romana, Robert F. Kennedy Memorial). At the same meeting, Mr. Yokota made concluding remarks;

(c) Ms. Hampson presented her expanded working paper on the human rights situation of indigenous peoples in States and other territories threatened with extinction for environmental reasons (E/CN.4/Sub.2/2005/28). In the interactive dialogue that followed, statements were made by Mr. Decaux and Mr. Tuñón Veilles, as well as the observers for the following non-governmental organizations: Earthjustice, Foundation for Aboriginal and Islander Research Action and Minnesota Advocates for Human Rights. At the same meeting, Ms. Hampson made her concluding remarks.

5. At the 14th meeting, on 8 August 2005, Mr. Alfonso Martínez, the Chairperson-Rapporteur of the Working Group on Indigenous Populations, presented the report of the Working Group on its twenty-third session (E/CN.4/Sub.2/2005/26). In the interactive dialogue that followed, statements were made by Mr. Bengoa and Mr. Chen Shiqiu, as well as the observer for the non-governmental organization Indian Law Resource Centre. At the same meeting, Mr. Alfonso Martínez made his concluding remarks.

6. In the general debate on agenda item 5, statements were made by members of the Sub-Commission and observers for Governments, intergovernmental organizations, United Nations bodies, specialized agencies, other organizations and non-governmental organizations. For the detailed list of speakers, see annex II.

#### **Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights**

7. At the 19th meeting, on 10 August 2005, Mr. Bengoa introduced draft resolution E/CN.4/Sub.2/2005/L.27, sponsored by Mr. Alfonso Martínez, Mr. Alfredsson, Mr. Bengoa, Mr. Bíró, Mr. Bossuyt, Mr. Chen Shiqiu, Mr. Cherif, Ms. Chung, Mr. Decaux, Mr. Dos Santos, Ms. Koufa, Ms. Motoc, Ms. O'Connor, Ms. Rakotoarisoa, Mr. Sattar, Mr. Tuñón Veilles, Ms. Warzazi and Mr. Yokota. Mr. Pinheiro and Ms. Wadibia-Anyanwu subsequently joined the sponsors.

8. Statements in connection with the draft resolution were made by Mr. Alfonso Martínez and Ms. Hampson.

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 Sub-Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

10. The draft resolution was adopted without a vote. For the text of the resolution, see chapter II, section A, resolution 2005/18.

### **Second International Decade of the World's Indigenous People**

11. At the same meeting, Mr. Alfonso Martínez introduced draft resolution E/CN.4/Sub.2/2005/L.46, sponsored by Mr. Alfonso Martínez, Mr. Bíró and Ms. Hampson. Mr. Chen Shiqiu, Ms. Chung and Ms. Wadibia-Anyanwu subsequently joined the sponsors.

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

### **The legal implications of the disappearance of States and other territories for environmental reasons, including the implications for the human rights of their residents, with particular reference to the rights of indigenous peoples**

13. At the same meeting, Mr. Alfonso Martínez introduced draft resolution E/CN.4/Sub.2/2005/L.47, sponsored by Mr. Alfonso Martínez, Mr. Bíró and Ms. Hampson. Mr. Alfredsson, Mr. Chen Shiqiu, Ms. Chung, Mr. Decaux, Mr. Dos Santos, Ms. Koufa, Ms. O'Connor, Ms. Wadibia-Anyanwu and Ms. Warzazi subsequently joined the sponsors.

14. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Sub-Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

15. The draft resolution was adopted without a vote. For the text of the resolution, see chapter II, section A, resolution 2005/20.

### **Discrimination based on work and descent**

16. At the 20th meeting, on 11 August 2005, Mr. Yokota introduced draft resolution E/CN.4/Sub.2/2005/L.30, sponsored by Mr. Alfredsson, Mr. Bengoa, Mr. Bíró, Mr. Bossuyt, Mr. Chen Shiqui, Mr. Cherif, Ms. Chung, Mr. Decaux, Mr. Dos Santos, Ms. Koufa, Ms. Motoc, Ms. O'Connor, Mr. Pinheiro, Ms. Rakotoarisoa, Mr. Sattar, Mr. Tuñón Veilles, Ms. Warzazi and Mr. Yokota. Ms. Hampson, Mr. Sorabjee and Ms. Wadibia-Anyanwu subsequently joined the sponsors.
17. Mr. Yokota orally revised the draft resolution by deleting operative paragraph 10.
18. A statement in connection with the draft resolution was made by Mr. Alfonso Martínez.
19. The draft resolution was adopted, as revised, without a vote. For the text of the resolution, see chapter II, section A, resolution 2005/22.

### **Working Group on Indigenous Populations**

20. At the same meeting, Mr. Alfonso Martínez introduced draft resolution E/CN.4/Sub.2/2005/L.45, sponsored by Mr. Alfonso Martínez, Mr. Bíró and Ms. Hampson. Mr. Alfredsson, Mr. Bengoa, Mr. Chen Shiqui, Mr. Cherif, Ms. Chung, Ms. Koufa, Ms. O'Connor, Mr. Tuñón Veilles, Ms. Wadibia-Anyanwu and Ms. Warzazi subsequently joined the sponsors.
21. Mr. Alfonso Martínez orally revised operative paragraphs 11, 27 and 28 of the draft resolution.
22. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Sub-Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.
23. The draft resolution was adopted, as revised, without a vote. For the text of the resolution, see chapter II, section A, resolution 2005/23.

**Discrimination against leprosy victims and families**

24. At the same meeting, Mr. Yokota introduced draft resolution E/CN.4/Sub.2/2005/L.37, sponsored by Mr. Bengoa, Mr. Casey, Mr. Chen Shiqiu, Mr. Cherif, Ms. Chung, Mr. Dos Santos, Ms. O'Connor, Ms. Rakotoarisoa, Ms. Wadibia-Anyanwu, Ms. Warzazi and Mr. Yokota. Mr. Alfonso Martínez, Mr. Alfredsson, Ms. Koufa, Mr. Salama, Mr. Sattar, Mr. Sorabjee and Mr. Tuñón Veilles subsequently joined the sponsors.

25. Ms. Hampson proposed amending the draft resolution by introducing a new operative paragraph after operative paragraph 8, which was accepted by the sponsors.

26. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Sub-Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

27. The draft resolution was adopted, as amended, without a vote. For the text of the resolution, see chapter II, section A, resolution 2005/24.

-----