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COMMISSION ON HUMAN RIGHTS

REPORT ON THE FIFTY-EIGHTH SESSION

(18 March - 26 April 2002)

PART II*

(for use by members of the Economic and Social Council during its 2002 substantive session)

*Parts I-II will subsequently be published in a single volume, as the *Official Records of the Economic and Social Council, 2002, Supplement No. 3*. The text of Part II hereafter is reproduced as adopted *ad referendum* by the Commission.

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IV. Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights

48. At the 22nd meeting, on 2 April 2002, the High Commissioner made a statement in relation to the human rights situation in the occupied Palestinian territory.

49. At the 28th meeting, on 5 April 2002, the High Commissioner made a statement at the beginning of the special sitting held in response to her statement on the human rights situation in the occupied Palestinian territory.

50. At the 40th meeting, on 15 April 2002, the High Commissioner made a statement in relation to the status of the preparations for a visiting mission to the occupied Palestinian territory pursuant to [Commission resolution 2002/1](#).

51. At the 54th meeting, on 24 April 2002, the High Commissioner introduced her report, as called for in decision 2002/103, on the deteriorating human rights situation in the occupied Palestinian territory ([E/CN.4/2002/184](#)).

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Situation of human rights in the occupied Palestinian territory

57. At the 28th meeting, on 5 April 2002, the representative of Algeria (on behalf of the Organization of the Islamic Conference) introduced draft resolution [E/CN.4/2002/L.13](#).

58. At the same meeting the representative of Sweden orally amended the draft resolution by introducing a new first preambular paragraph.

59. At the same meeting the representative of Canada moved a motion under rule 52 of the rules of procedure.

60. At the same meeting the representative of Pakistan moved a motion to suspend rule 52.

61. At the request of the representative of Guatemala, a recorded vote was taken on the motion moved by Pakistan, which was adopted by 50 votes to 2, with 1 abstention. The voting was as follows:

In favour: Algeria, Argentina, Armenia, Austria, Bahrain, Belgium, Brazil, Burundi, Cameroon, Chile, China, Costa Rica, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Canada, Guatemala.

Abstaining: Peru.

62. 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.

63. At the request of the representative of Canada, a recorded vote was taken on the draft resolution as orally amended, which was adopted by 44 votes to 2, with 7 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Austria, Bahrain, Belgium, Brazil, Burundi, Chile, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, France, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Peru, Poland, Portugal, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Canada, Guatemala.

Abstaining: Armenia, Cameroon, Croatia, Czech Republic, Germany, Russian Federation, United Kingdom of Great Britain and Northern Ireland.

64. Statements in explanation of vote after the vote were made by the representatives of Canada, Germany, Peru and the Russian Federation. A written statement in explanation of vote was submitted by the representative of Ecuador.

65. For the text of the resolution see chapter II, section A, resolution 2002/1.

Deteriorating situation in the occupied Palestinian territory

66. At its 40th meeting, on 15 April 2002, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced a draft decision on the deteriorating human rights situation in the occupied Palestinian territory.

67. At its 41st meeting, on 16 April 2002, statements in connection with the draft were made by the representative of Spain and the observers for Israel and Palestine.

68. At the same meeting the representative of Pakistan orally revised operative paragraphs 1 and 3.

69. A statement in explanation of vote was made by the representative of Guatemala.

70. At the request of the representatives of Canada and Guatemala, a recorded vote was taken on the draft resolution as orally revised, which was adopted by 41 votes to 2, with 9 abstentions. The voting was as follows:

In favour: Algeria, Armenia, Austria, Bahrain, Belgium, Brazil, Burundi, Chile, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Peru, Portugal, Republic of Korea, Saudi Arabia, Senegal, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Canada, Guatemala.

Abstaining: Argentina, Cameroon, Croatia, Czech Republic, France, Germany, Poland, Russian Federation, United Kingdom of Great Britain and Northern Ireland.

71. Statements in explanation of vote after the vote were made by the representatives of Canada and Germany.

72. For the text of the decision see chapter II, section B, decision 2002/103.

The situation of human rights in the occupied Palestinian territory

73. At its 56th meeting, on 25 April 2002, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced a draft resolution on the situation of human rights in the occupied Palestinian territory ([E/CN.4/2002/L.116](#)).

74. At its 57th meeting, on 26 April 2002, the representative of Pakistan orally revised the draft resolution, as contained in a separate document before the Commission.

75. Statements in connection with the draft resolution were made by the representatives of Algeria, Chile, Cuba, India, Pakistan, Peru, Portugal and Uruguay and the observers for Israel and Palestine.

76. At its 58th meeting, on 26 April 2002, at the request of the representative of Peru a recorded vote was taken on the proposal by the representative of Peru requesting the deletion of the words “in the context of” in operative paragraph 4.

77. The proposal was rejected by 12 votes to 27, with 14 abstentions. The voting was as follows:

In favour: Argentina, Belgium, Canada, Chile, Costa Rica, Croatia, Ecuador, Mexico, Peru, Portugal, Sweden, Uruguay.

Against: Algeria, Armenia, Bahrain, Brazil, China, Cuba, Democratic Republic of the Congo, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Uganda, Venezuela, Viet Nam, Zambia.

Abstaining: Austria, Burundi, Cameroon, Czech Republic, France, Germany, Guatemala, Italy, Japan, Poland, Republic of Korea, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland.

78. Explanations of vote before the vote were made by the representatives of Canada, Chile, Germany, Italy, Japan, Mexico, Portugal, the Republic of Korea, the United Kingdom of Great Britain and Northern Ireland and Uruguay.

79. At the request of the representative of Guatemala, a recorded vote was taken on the draft resolution, as revised, which was adopted by 33 votes to 1, with 19 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Armenia, Bahrain, Brazil, Burundi, Chile, China, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Uganda, Venezuela, Viet Nam, Zambia.

Against: Guatemala.

Abstaining: Austria, Belgium, Cameroon, Canada, Costa Rica, Croatia, Czech Republic, France, Germany, Italy, Japan, Peru, Poland, Portugal, Republic of Korea, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

80. For the text of the resolution see chapter II, section A, [resolution 2002/90](#).

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V. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

Situation in occupied Palestine

85. At the 37th meeting, the representative of Saudi Arabia introduced draft resolution [E/CN.4/2002/L.4](#), sponsored by Algeria, Bahrain, China, Cuba, Egypt, Indonesia, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Oman, Pakistan, Palestine, Qatar, Saudi Arabia, Somalia, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates, Viet Nam and Yemen. Austria, Bangladesh, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Madagascar, Malta, the Netherlands, Norway, Portugal, Senegal, Spain, Sweden, Switzerland, Togo, Turkey and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

86. The representative of Saudi Arabia orally revised the last preambular paragraph.

87. Statements in connection with the draft resolution were made by Spain (on behalf of the States members of the European Union that are members of the Commission - Austria, Belgium, France, Germany, Italy, Portugal, Sweden and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission - the Czech Republic and Poland - aligned themselves with the statement), and the observers for Israel and Palestine.

88. A statement in explanation of vote before the vote was made by the representative of Guatemala.

89. At the request of the representative of Guatemala, a recorded vote was taken on the draft resolution, as orally revised, which was adopted by 52 votes to 1. The voting was as follows:

In favour: Algeria, Argentina, Armenia, Austria, Bahrain, Belgium, Brazil, Burundi, Cameroon, Canada, Chile, China, Costa Rica, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Peru, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Guatemala.

Abstaining: None.

90. For the text of the resolution, see chapter II, section A, [resolution 2002/3](#).

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VIII. Question of the violation of human rights in the occupied Arab territories, including Palestine

133. The Commission considered agenda item 8 at its 15th to 19th meetings, on 26 to 28 March 2002, at its 21st to 22nd meeting, on 2 April 2002, at its 37th and 38th meetings, on 12 April 2002, and at its 39th meeting, on 15 April 2002.

134. For the documents issued under agenda item 8, 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.

135. At the 15th meeting, on 26 March 2002, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967, Mr. John Dugard, introduced his report ([E/CN.4/2002/32](#)).

136. In the general debate on item 8, 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.

Human rights in the occupied Syrian Golan

137. At its 37th meeting, on 12 April 2002, the representative of the Syrian Arab Republic introduced draft resolution [E/CN.4/2002/L.2](#), sponsored by Algeria, Bahrain, Cuba, the Democratic People's Republic of Korea, Egypt, Indonesia, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen. Malaysia and Togo subsequently joined the sponsors.

138. Statements in connection with the draft resolution were made by the representative of the Syrian Arab Republic and the observer for Israel.

139. Statements in explanation of vote before the vote were made by the representatives of Canada and Guatemala.

140. At the request of the representative of Canada, a recorded vote was taken on the draft resolution, which was adopted by 34 votes to 1, with 18 abstentions. The voting was as follows:

In favour : Algeria, Argentina, Armenia, Bahrain, Burundi, Cameroon, Chile, China, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Uganda, Venezuela, Viet Nam and Zambia.

Against : Guatemala.

Abstaining : Austria, Belgium, Brazil, Canada, Costa Rica, Croatia, Czech Republic, France, Germany, Italy, Japan, Peru, Poland, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay.

141. A statement in explanation of vote after the vote was made by the representative of Spain (on behalf of the States members of the European Union that are members of the Commission - Austria, Belgium, France, Germany, Italy, Sweden and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission - the Czech Republic and Poland - aligned themselves with the statement).

142. For the text of the resolution, see chapter II, section A, [resolution 2002/6](#).

Question of the violation of human rights in the occupied Arab territories, including Palestine

143. At its 38th meeting, on 12 April 2002, the representative of Pakistan introduced draft resolution [E/CN.4/2002/L.16](#), sponsored by Algeria, Bahrain, China, Cuba, Egypt, Indonesia, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Oman, Pakistan, Palestine, Qatar, Saudi Arabia, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates, Viet Nam and Yemen. Bangladesh, Brunei Darussalam, the Libyan Arab Jamahiriya, Madagascar and Togo subsequently joined the sponsors.

144. At the same meeting, the representative of Pakistan orally revised the draft resolution by introducing a new preambular paragraph after the sixth preambular paragraph and revising the seventh, twelfth, thirteenth and seventeenth preambular paragraphs, and operative paragraphs 1 and 13.

145. At the same meeting, the representative of Pakistan further revised the draft resolution by moving the new preambular paragraph to after the first preambular paragraph.

146. Statements in connection with the draft resolution were made by the representatives of Pakistan and Spain and the observers for Israel and Palestine.

147. At its 39th meeting, on 15 April 2002, 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.

148. Statements in explanation of vote before the vote were made by the representatives of Canada, France, Germany, Guatemala, Italy,

Pakistan, Spain and the United Kingdom of Great Britain and Northern Ireland.

149. At the request of the representative of Canada, a recorded vote was taken on the draft resolution as orally revised, which was adopted by 40 votes to 5, with 7 abstentions. The voting was as follows:

In favour : Algeria, Argentina, Armenia, Austria, Bahrain, Belgium, Brazil, Chile, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, France, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, Venezuela, Viet Nam and Zambia.

Against : Canada, Czech Republic, Germany, Guatemala, United Kingdom of Great Britain and Northern Ireland.

Abstaining : Burundi, Cameroon, Croatia, Italy, Japan, Poland, Uruguay.

150. Statements in explanation of vote after the vote were made by the representatives of Austria, Belgium, India, Portugal and Sweden.

151. For the text of the resolution, see chapter II, section A, [resolution 2002/8](#).

Israeli settlements in the occupied Arab territories

152. Also at its 38th meeting, the representative of Spain (on behalf of the European Union) introduced draft resolution [E/CN.4/2002/L.17](#), sponsored by Algeria, Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Luxembourg, Madagascar, Malta, the Netherlands, New Zealand, Norway, Portugal, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey and the United Kingdom of Great Britain and Northern Ireland. Bulgaria, Cyprus, Estonia, Ireland, Japan, Liechtenstein and San Marino subsequently joined the sponsors. Algeria, Egypt and Saudi Arabia withdrew as sponsors.

153. Statements in connection with the draft resolution were made by the representatives of Algeria, Saudi Arabia and the Syrian Arab Republic and the observer for Israel.

154. A statement in explanation of vote before the vote was made by the representative of Guatemala.

155. At the request of the representative of Guatemala, a recorded vote was taken on the draft resolution, which was adopted by 52 votes to 1, with no abstentions. The voting was as follows:

In favour : Algeria, Argentina, Armenia, Austria, Bahrain, Belgium, Brazil, Burundi, Cameroon, Canada, Chile, China, Costa Rica, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Peru, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam and Zambia.

Against : Guatemala.

Abstaining : None.

156. For the text of the resolution, see chapter II, section A, [resolution 2002/7](#).

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IX. Question of the violation of human rights and fundamental freedoms in any part of the world, including:

(a) Question of human rights in Cyprus;

(b) Procedure established in accordance with Economic and Social Council resolutions 1503 (XLVIII) and 2000/3

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Human rights situation of the Lebanese detainees in Israel

164. At the 47th meeting, on 19 April 2002, the representative of Saudi Arabia introduced draft resolution [E/CN.4/2002/L.15](#), sponsored by Algeria, Bahrain, Cuba, Egypt, Indonesia, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates, Viet Nam and Yemen. Pakistan and Togo subsequently joined the sponsors.

165. Statements in connection with the draft resolution were made by the observers for Israel and Lebanon.

166. At the request of the representatives of Canada and Guatemala, a recorded vote was taken on the draft resolution, which was adopted by 34 votes to 2, with 17 abstentions. The voting was as follows:

In favour : Algeria, Argentina, Armenia, Bahrain, Brazil, Burundi, Chile, China, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Uganda, Uruguay, Venezuela, Viet Nam, Zambia.

Against : Guatemala, Peru.

Abstaining : Austria, Belgium, Cameroon, Canada, Costa Rica, Croatia, Czech Republic, France, Germany, Italy, Japan, Poland, Portugal, Republic of Korea, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland.

167. At the 49th meeting, on 22 April 2002, statements in explanation of vote after the vote were made by the representatives of Canada and Spain (on behalf of the States members of the European Union that are members of the Commission - Austria, Belgium, France, Germany, Italy, Portugal, Sweden and the United Kingdom of Great Britain and Northern Ireland; the associated countries that are members of the Commission - the Czech Republic and Poland aligned themselves with the statement).

168. For the text of the resolution, see chapter II, section A, [resolution 2002/10](#).

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