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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.

XIV. Specific groups and individuals:

- (a) Migrant workers;**
- (b) Minorities;**
- (c) Mass exoduses and displaced persons;**
- (d) Other vulnerable groups and individuals**

1. The Commission considered agenda item 14 at its 43rd meeting, on 11 April 2005, at its 44th and 45th meetings, on 12 April, at its 48th meeting, on 13 April, at its 49th meeting, on 14 April, at its 51st meeting, on 15 April, at its 57th meeting, on 19 April, at its 58th and 59th meetings, on 20 April 2005 and at its 61st meeting, on 21 April 2005.¹
2. For the documents issued under agenda item 14, 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 43rd meeting, the Representative of the Secretary-General on the human rights of internally displaced persons, Mr. Walter Kälin, introduced his report (E/CN.4/2005/84 and Add.1). During the ensuing interactive dialogue, the representatives of the Sudan made a statement, as a concerned country, on the report.
4. At the 44th meeting, on 12 April 2005, the Special Rapporteur on the human rights of migrants, Ms. Gabriela Rodríguez Pizarro, introduced her report (E/CN.4/2005/85 and Add.1-4). During the ensuing interactive dialogue, the representatives of Italy and Peru as well as the observer for the Islamic Republic of Iran made statements, as concerned countries, on the report. The representatives of Argentina, Burkina Faso, Canada, Costa Rica as well as the observers for Senegal and Luxembourg (on behalf of the European Union) also addressed questions to the Special Rapporteur, to which she responded.

¹ See footnote 1 above (chap. III, para. 1).

5. At the same meeting, the United Nations High Commissioner for Human Rights made a statement.
6. At the same meeting, the Special Rapporteur on disabilities of the Commission on Social Development, Ms. Sheikha Hessa Khalifa bin Ahmed al-Thani, made a statement.
7. In the general debate on agenda item 14, 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 and arbitrary deprivation of nationality

8. At the 57th meeting, on 19 April 2005, the representative of the Russian Federation introduced draft resolution E/CN.4/2005/L.58, sponsored by Belarus, Cuba, Ecuador, Eritrea, Nigeria, the Russian Federation and Zimbabwe. Nicaragua subsequently joined the sponsors.
9. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2005/45.

The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)

10. At the 58th meeting, on 20 April 2005, the observer for Poland introduced draft resolution E/CN.4/2005/L.59, sponsored by Armenia, Austria, Belgium, Botswana, Bulgaria, Cameroon, Canada, the Congo, Croatia, Cyprus, the Democratic Republic of the Congo, Denmark, Estonia, Ethiopia, Finland, France, Germany, Greece, Guinea, Honduras, Hungary, Ireland, Israel, Italy, Kenya, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, Nigeria, Norway, Peru, Poland, Portugal, Romania, Rwanda, San Marino, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Zambia and Zimbabwe. Albania, Australia, Bolivia, Brazil, the Czech Republic, Guatemala, Guinea, Haiti, Iceland, Liechtenstein, Nicaragua, Peru and Uruguay subsequently joined the sponsors.

11. Statements in connection with the draft resolution were made by the representatives of Costa Rica, Cuba, Honduras, Pakistan (on behalf of the Organization of the Islamic Conference) and the United States of America.

12. The representative of China introduced an amendment (E/CN.4/2005/100) to draft resolution E/CN.4/2005/L.50, sponsored by China. The amendment read as follows:

“In operative paragraph 6, *after* reproductive rights *insert*, ‘as understood in previous international commitments, such as the Programme of Action adopted at the International Conference on Population and Development (Cairo, 5-13 September 1994) and the Beijing Declaration and Programme for Action adopted at the Fourth World Conference for Women (Beijing, 4-15 September 1995),’ ”

13. The representative of Pakistan further proposed to amend the draft resolution by replacing in the eleventh preambular paragraph “E/CN.4/1997/37, annex I” by “as contained in paragraph 12 of document E/CN.4/1997/37 of 20 January 1997”; replacing in the seventeenth preambular paragraph “(E/CN.4/2005/79)” by “as contained in paragraph 12 of document E/CN.4/1997/37 of 20 January 1997”; and by inserting in operative paragraph 1, after “the Guidelines on HIV/AIDS and human rights”, and in operative paragraph 14, “as contained in paragraph 12 of document E/CN.4/1997/37 of 20 January 1997”.

14. A statement in connection with the proposed amendments was made by 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).

15. At its 61st meeting, the representative of Ireland orally revised the draft resolution by modifying the eleventh and seventeenth preambular paragraphs as well as operative paragraphs 1, 6 and 14.

16. Statements in connection with the proposed revisions were made by China, Guatemala, Honduras, Pakistan (on behalf of the Organization of the Islamic Conference) and the United States of America.

17. The representative of China withdrew his amendment (E/CN.4/2005/100).
18. An explanation of vote before the vote was made by the representative of the United States of America.
19. The draft resolution, as orally revised, was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2005/84.

Internally displaced persons

20. At the 57th meeting, on 19 April 2005, the observer for Austria introduced draft resolution E/CN.4/2005/L.60 sponsored by Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, the Congo, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Eritrea, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iraq, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, Nigeria, Norway, Poland, Portugal, the Republic of Korea, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Zimbabwe. Azerbaijan, Chile, Guinea, Iceland, Nicaragua, Peru, Uruguay and Zambia subsequently joined the sponsors.
21. The representative of Austria orally revised the draft resolution by deleting in operative paragraph 11 the words “and the Additional Protocols of 1977 thereto”.
22. A statement in connection with the draft resolution was made by the representative of India.
23. 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 implications² of the draft resolution.

² See footnote 2 above (chap. III, para. ...).

24. A statement in explanation of vote before the vote on the draft resolution was made by the representative of the United States of America.

25. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2005/46.

Rights of persons belonging to national or ethnic, religious and linguistic minorities

26. At the 60th meeting, on 21 April 2005, the observer for Austria introduced draft resolution E/CN.4/2005/L.62, sponsored by Afghanistan, Albania, Argentina, Armenia, Austria, Bolivia, Bosnia and Herzegovina, Bulgaria, Costa Rica, Croatia, Ethiopia, Finland, Guatemala, Honduras, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Mexico, Morocco, Norway, the Philippines, Poland, the Republic of Korea, Romania, the Russian Federation, San Marino, Serbia and Montenegro, Slovenia, Switzerland, Ukraine and the United Kingdom of Great Britain and Northern Ireland. Andorra, Bolivia, Colombia, the Czech Republic, Denmark, Ecuador, Eritrea, Iceland, Malta, Nicaragua, Peru, the Former Yugoslav Republic of Macedonia, Uruguay, the United States of America and Zimbabwe subsequently joined the sponsors.

27. The representative of Austria orally revised the draft resolution by correcting the title of the agenda item, replacing “migrant workers” with “minorities”, by modifying operative paragraph 6 (a), deleting paragraph 6 (b), inserting a new paragraph 6 (e), modifying operative paragraphs 8 and 9, inserting a new operative paragraph after operative paragraph 9 and modifying operative paragraphs 13 and 15. The operative paragraphs were renumbered accordingly.

28. 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 implications² of the draft resolution.

29. An explanation of vote before the vote was made by the representative of Australia.

30. The draft resolution, as orally revised, was adopted without a vote. For the text, see chapter II, section A, resolution 2005/79.

31. In view of the adoption of resolution 2005/79, the Commission took no action on draft decision 6 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2005/2-E/CN.4/Sub.2/2004/48, chap. I, sect. B).

Human rights of migrants

32. At the 57th meeting, the representative of Mexico introduced draft resolution E/CN.4/2005/L.63, sponsored by Algeria, Argentina, Armenia, Bangladesh, Bolivia, Bosnia and Herzegovina, Brazil, Burkina Faso, Chile, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, Indonesia, Kenya, Mexico, Morocco, Paraguay, Peru, the Philippines, Senegal, Serbia and Montenegro, Sri Lanka, Tunisia, Turkey, Ukraine, the United Republic of Tanzania and Uruguay. Albania, Azerbaijan, Costa Rica, Haiti, Madagascar, Nicaragua and Nigeria subsequently joined the sponsors.

33. The representative of Mexico orally revised the draft resolution by modifying operative paragraphs 5 and 7.

34. A statement in connection with the draft resolution was made by the representative of the United States of America.

35. 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 implications² of the draft resolution.

36. The draft resolution, as orally revised, was adopted without a vote. For the text, see chapter II, section A, resolution 2005/47.

Human rights and mass exoduses

37. At the same meeting, the representative of Canada introduced draft resolution E/CN.4/2005/L.64, sponsored by Argentina, Australia, Austria, Belgium, Canada, the Czech Republic, Eritrea, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Slovenia, South Africa, Spain and Switzerland. Albania, the Congo, Cyprus, Denmark, Ecuador, Finland, France, Germany, Greece, Haiti,

Hungary, Iceland, Malta, Nicaragua, Nigeria, Poland, Portugal, Serbia and Montenegro, Spain and the United Kingdom of Great Britain and Northern Ireland subsequently joined the sponsors.

38. The draft resolution was adopted without a vote. For the text, see chapter II, section A, resolution 2005/48.

Human rights of persons with disabilities

39. At the 59th meeting, the observer for Sweden introduced draft resolution E/CN.4/2005/L.65, sponsored by Albania, Andorra, Argentina, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, Costa Rica, Croatia, Cyprus, Denmark, the Dominican Republic, Ecuador, Ethiopia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iraq, Ireland, Israel, Italy, Jordan, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Morocco, the Netherlands, New Zealand, Norway, Paraguay, Peru, the Philippines, Poland, Portugal, Romania, Rwanda, San Marino, Serbia and Montenegro, Slovenia, Spain, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland, Ukraine, Uruguay and Venezuela. Algeria, Australia, Bolivia, Brazil, Colombia, the Czech Republic, Eritrea, Estonia, Iceland, Japan, Kenya, Madagascar, Malaysia, Mozambique, Nicaragua, Panama, South Africa, Zambia and Zimbabwe subsequently joined the sponsors.

40. The observer for Sweden orally revised the seventh operative paragraph of the draft resolution.

41. 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 implications² of the draft resolution.

42. A statement in connection with the draft resolution was made by the representative of China.

43. An explanation of vote after the vote was made by the representative of the United States of America.

44. The draft resolution, as orally revised, was adopted without a vote. For the text, see chapter II, section A, resolution 2005/65.

Discrimination based on work and descent

45. At the 57th meeting, the Commission considered draft decision 8 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2005/2-E/CN.4/Sub.2/2004/48, chap. I, sect. B).

46. 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 implications² of the draft decision.

47. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2005/109.
