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COMMISSION ON HUMAN RIGHTS  
Forty-ninth session  
Agenda item 19

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION  
AND PROTECTION OF MINORITIES ON ITS FORTY-FOURTH SESSION

Austria, Belgium\*, Cameroon, Czech Republic, Denmark\*, Ethiopia\*,  
Finland, France, Germany, Greece\*, Iceland\*, Ireland\*, Italy\*,  
Japan, Luxembourg, Netherlands, Norway\*, Poland, Portugal,  
Russian Federation, Senegal\*, Spain\*, Sweden\* and United Kingdom  
of Great Britain and Northern Ireland: draft resolution

1993/... Work of the Sub-Commission on Prevention of  
Discrimination and Protection of Minorities

The Commission on Human Rights,

Taking note of the report of the Sub-Commission on Prevention of  
Discrimination and Protection of Minorities on its forty-fourth session  
(E/CN.4/1993/2),

Expressing its appreciation for the positive contribution made by the  
Sub-Commission to the work of the Commission in the promotion and protection  
of human rights,

Recalling the terms of reference of the Sub-Commission as defined by the  
Commission and its particular responsibilities established inter alia, in

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of  
the functional commissions of the Economic and Social Council.

Commission resolutions 8 (XXIII) of 16 March 1967 and 17 (XXXVII) of 10 March 1981, Economic and Social Council resolutions 1235 (XLII) of 6 June 1967 and 1503 (XLVIII) of 27 May 1970 and the relevant resolutions of the General Assembly,

Recalling also its resolution 1992/66 of 4 March 1992, in which it provided certain guidelines for the work of the Sub-Commission, and Economic and Social Council resolution 1991/32 of 31 May 1991 on strengthening the independence of the experts members of the Sub-Commission,

Taking note of the report of the Chairman of the Sub-Commission on the work of its forty-fourth session (E/CN.4/1993/60) and the proposals contained therein,

Noting with appreciation the intensified dialogue and the spirit of cooperation between the Commission and the Sub-Commission through the mutual exchange of information by their respective chairpersons, in accordance with paragraphs 17 and 18 of Commission resolution 1990/64 of 7 March 1990,

Convinced of the need for a further strengthening of substantial and meaningful dialogue between the Commission and the Sub-Commission,

Also convinced that it is essential that the impartiality and objectivity of the Sub-Commission and the independent status of its members and their alternates should continue to be its guiding principles,

Further convinced that the credibility and effectiveness of the Sub-Commission as an expert human rights body are dependent on Governments nominating and the Commission electing as members and alternates of the Sub-Commission only individuals who possess genuine expertise in the field of human rights and who are able to act independently of their Governments,

Stressing the valuable role that the Sub-Commission, as a body of independent experts, can play, inter alia, in addressing new developments in the field of human rights and also in providing a forum for the contributions of non-governmental organizations in the field of new developments,

Mindful of the important contribution in general that non-governmental organizations in consultative status with the Economic and Social Council make to the work of the Sub-Commission, in conformity with the principles embodied in Council resolutions 1296 (XLIV) of 23 May 1968 and 1919 (LVIII) of 5 May 1975,

Welcoming the report of the inter-sessional working group on the methods of work of the Sub-Commission established pursuant to Commission resolution 1992/66 of 4 March 1992 (E/CN.4/Sub.2/1992/3) and the results of the work of the group,

Convinced that it is highly appropriate for the Commission to give considered attention to the work of the Sub-Commission and thereby maintain the effectiveness of both bodies in their respective roles,

Reaffirming that it remains important for the Commission to give guidance to the Sub-Commission, and for the Sub-Commission to follow that guidance, in the light of the mandate already granted to it, in order to ensure the complementarity of its activities with those of the Commission,

1. Reaffirms that the Sub-Commission on Prevention of Discrimination and Protection of Minorities can best assist the Commission on Human Rights by providing it with recommendations based on the different views and perspectives of independent experts, which should be appropriately reflected in the report of the Sub-Commission, as well as in the expert studies carried out under its auspices;

2. Calls upon the Sub-Commission, in the fulfilment of its functions and duties, to be guided by the relevant resolutions of the Commission and the Economic and Social Council;

3. Takes note with appreciation of the significant steps taken by the Sub-Commission to rationalize and streamline its work;

4. Welcomes Sub-Commission resolution 1992/8 of 26 August 1992 and the guidelines annexed thereto;

5. Invites the Sub-Commission to continue its consideration of ways in which its work should be improved with a view to making recommendations on the following points:

(a) Initiatives for a better coordination with the Commission on Human Rights and the other competent organs of the United Nations acting in the field of human rights;

(b) Further strengthening the independence of its experts;

(c) Proposals concerning the rationalization of the agenda, bearing in mind inter alia, the relationship between the agenda of the Sub-Commission and that of the Commission on Human Rights;

(d) Initiatives which would facilitate the widest possible dissemination of the findings of the Sub-Commission, such as the preparation of a short summary of each completed study, the purpose being that the summaries of all studies completed during a session be published separately in various languages, for example in the Fact Sheet series of the Centre for Human Rights, thus contributing to better publicity for the studies;

(e) Developing a programme of familiarization with the work of the Sub-Commission for new members and alternates, in particular by providing them in good time with a wide variety of documents from the Sub-Commission and other information material;

6. Reaffirms that one of the tasks of the Sub-Commission is a thorough examination of information concerning alleged human rights violations, as well as the presentation of the research and the results of the examination to the Commission;

7. Requests the Sub-Commission to restrict its requests to the Secretary-General to ask Governments, intergovernmental organizations, the specialized agencies and other such bodies for their views and comments on requests relating to those studies that have received prior explicit approval from the Commission;

8. Invites the Sub-Commission to continue to give due regard to new developments in the field of human rights;

9. Calls upon States to nominate as members and alternates persons meeting the criteria of independent experts, who should discharge in that capacity their functions as members of the Sub-Commission, and to respect fully the independence of elected members;

10. Requests the Secretary-General to continue to give strong support to the Sub-Commission and, in particular, to ensure that Sub-Commission documents are available in all languages in good time before the session;

11. Invites the Chairman of the Commission to inform the Sub-Commission on the debate under this item;

12. Decides to invite the Chairman of the Sub-Commission at its forty-fourth session to come for consultations with the members of the Bureau of the Commission at an appropriate time during the meeting of the Bureau of the Commission at the conclusion of its forty-ninth session and the Chairman of the Sub-Commission at its forty-fifth session to report to the Commission at its fiftieth session on the progress made concerning the issues referred to in the present resolution and on significant aspects of the work of the Sub-Commission.

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